

STATE OF ILLINOIS,
OFFICE OF SECRETARY OF STATE. }

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SECRETARY OF STATE.


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LAWS

OF THE

STATE OF ILLINOIS

ENACTED BY THE

Fiftieth General Assembly

AT THE

REGULAR BIENNIAL SESSION

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF
SPRINGFIELD, ON THE THIRD DAY OF JANUARY
A. D. 1917 AND ADJOURNED SINE DIE ON THE
TWENTY-NINTH DAY OF JUNE A. D. 1917.

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CONTENTS.

ADMINISTRATION OF ESTATES:	PAGE.
An Act to amend section 105 of an Act entitled, "An Act in regard to the administration of estates," approved April 1, 1872; in force July 1, 1872.	1
An Act concerning constructive notice of suits in equity, proceedings to sell real property of decedents to pay debts, or other suits in the nature of suits in equity, involving real property.....	1
ADMINISTRATION OF STATE GOVERNMENT:	
An Act in relation to the civil administration of the State government, and to repeal certain acts therein named.....	2
AGRICULTURE:	
An Act to prevent the introduction into and the dissemination within this State of insect pests and diseases injurious to the plants and plant products of this State.....	37
ANIMALS AND BIRDS:	
An Act to protect the owner of any licensed stallion or jack kept for public service and to subject the mare or jennet or progeny of such animal, or both, to a lien for the service fee of such stallion or jack....	44
An Act to regulate the public service of stallions and jacks in Illinois....	47
An Act to amend an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs, approved May 29, 1879, in force July 1, 1879, as subsequently amended, by amending the title thereto, by amending sections 1, 2 and 5 thereof, and by adding five new sections to be known as sections 1a, 2a, 2b, 2c and 10".....	50
An Act to amend section 5 of an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879.....	53
APPROPRIATIONS:	
An Act making an appropriation for county fairs or other agricultural societies of the State of Illinois.....	53
An Act making an appropriation in aid of the State Board of Agriculture, The State Be Keepers' Association, the Illinois Dairymen's Association, the Illinois State Poultry Association, the Illinois Live Stock Breeders' Association, the Illinois State Academy of Science, the Illinois State Horticultural Society, the Illinois Firemen's Association, the Grand Army Hall and Memorial Association, the Grand Army of the Republic of the Department of Illinois, and the Illinois Farmers' Institute and County Farmers' Institutes.....	54
An Act making additional appropriations to the Attorney General.....	61
An Act entitled, "An Act for an appropriation to meet expenses in the office of the Auditor of Public Accounts to be incurred subsequent to March 1, 1917, and prior to July 1, 1917, and by declaring an emergency".....	63
An Act to make an appropriation for conducting business of the State, through the Barbers' State Board of Examiners until July 1, 1917.....	64
An Act making additional appropriations to the Board of Administration for the State charitable institutions.....	64
An Act to provide for the building of bridges on State property in Will County to replace bridges washed out by floods, and to make an appropriation therefor.....	65
An Act to provide for the erection of a centennial memorial building on the Capitol grounds and to make an appropriation therefor.....	66
An Act making appropriations for the State Charitable institutions.....	67
An Act making an appropriation to the Board of Administration to restore the domestic building and the laundry equipment at the Peoria State Hospital, destroyed by fire.....	76
An Act to make appropriations for certain claims against the State of Illinois.....	77
An Act making an appropriation for county agricultural advisors.....	85
An Act entitled, "An Act to make an appropriation for the payment of expenses for the conveying of offenders to the Illinois State Reformatory at Pontiac, Illinois, subsequent to May 1, 1917, and providing for an emergency".....	85
An Act making an appropriation to pay the House election committee expenses of the Fiftieth General Assembly.....	86

APPROPRIATIONS—Continued.

PAGE.

An Act making an appropriation to compensate Charles E. Woodward for services performed and expenses incurred pursuant to contract with the secretary of the Legislative Reference Bureau.....	90
An Act to appropriate to the Department of Registration and Education, for the use of the Western Illinois State Normal School at Macomb, and the Southern Illinois Normal University at Carbondale, certain unexpended balances of appropriations made to said Normal School and university by the Forty-ninth General Assembly.....	91
An Act to make appropriations for the five State Normal schools of Illinois	92
An Act entitled, "An Act making an appropriation for the payment of mileage of Electors of the President and Vice President of the United States".....	100
An Act to divert an appropriation made to the Game and Fish Conservation Commission, by the Forty-ninth General Assembly, from the purpose named therein, and appropriating the unexpended balance to another purpose.....	100
An Act making an appropriation to pay the expenses of the committees of the Fiftieth General Assembly of the State of Illinois.....	101
An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of certain officers of the State government.....	101
An Act to provide for the incidental expenses of the Fiftieth General Assembly of the State of Illinois.....	105
An Act making appropriations for the payment of the officers and employees of the Fiftieth General Assembly of the State of Illinois.....	106
An Act to make an appropriation for the Illinois Centennial Commission..	106
An Act making an appropriation to the Illinois Pension Laws Commission	107
An Act entitled, "An Act making an appropriation for the payment of the salaries of the Judges of the City Courts of the State of Illinois, prior to July 1, 1917, and by declaring an emergency".....	107
An Act to make an appropriation to carry on the work of the Legislative Reference Bureau until July 1, 1917.....	108
An Act making an appropriation to pay the State's portion of assessments for local improvements in and along certain streets in the city of Jacksonville.....	108
An Act making an appropriation to pay the State's portion of special assessments against the State's property on certain streets for ornamental lighting in the city of Springfield.....	110
An Act to reappropriate so much of twenty-five thousand dollars (\$25,000) heretofore appropriated by the Forty-ninth General Assembly as shall not have been heretofore expended, for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby.....	110
An Act to appropriate the unexpended balance of the appropriation made by an Act entitled: "An Act to provide for the erection of statutes or other monumental commemoration, to General Ulysses S. Grant and other generals from Illinois, who commanded the army, a corps, or divisions during the campaign and siege of Vicksburg, Mississippi, and to make appropriation therefor," approved June 28, 1915, in force July 1, 1915.....	111
An Act to appropriate twenty-five thousand dollars (\$25,000), for the erection of statutes or other monumental commemoration to General Ulysses S. Grant and other generals from Illinois who commanded the army, a corps or divisions during the campaign and siege of Vicksburg, Mississippi.....	112
An Act to provide for the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Battalion.....	113
An Act to appropriate the sum of seven hundred fifty thousand dollars for the supply, clothing, equipment, pay, transportation, preparation of camp sites and cantonments, mobilization, subsistence and incidental expenses for the National Guard and Naval Militia, Volunteers or other organizations of Illinois authorized, organized or furnished by the State on a call, order, request or requisition made or hereafter made or issued by the President of the United States or organized, authorized or ordered for duty by the Governor.....	114
An Act making an appropriation to meet the deficiencies in the appropriation to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve.....	114
An Act making an appropriation of additional sums for the completion of armories now under construction.....	115
An Act making an appropriation of an additional sum for the completion of the armory now under construction at Monmouth, Illinois.....	116
An Act making deficiency appropriations for the ordinary and contingent expenses of the Illinois State Penitentiary at Joliet, the Southern Illinois Penitentiary at Menard, and the Illinois State Reformatory at Pontiac, until July 1, 1917, and declaring an emergency.....	116
An Act making appropriations for the Illinois State Penitentiary, the Southern Illinois Penitentiary and the Illinois State Reformatory.....	118
An Act to make an appropriation for the painting of a portrait of former Lieutenant Governor Barratt O'Hara.....	124

APPROPRIATIONS—Continued.

	PAGE.
An Act to make an appropriation for the painting of a portrait of former Governor Edward F. Dunne.....	125
An Act to amend an Act entitled, "An Act to provide for the making of a record of the burial places of soldiers and sailors," approved June 25, 1915, in force July 1, 1915, by amending the title thereto and by adding a new section to be known as section four (4).....	125
An Act to provide an appropriation for the purpose of furnishing relief to the people living in those sections of the State recently visited by a destructive cyclone.....	126
An Act making an appropriation for the relief of the suffering and destitute miners at Royalton, Illinois, and the families and dependents of miners who lost their lives in the mine disaster at Royalton, Illinois.....	127
An Act making an appropriation for the payment of the balance of salary due to James D. Putnam, a member of the Fiftieth General Assembly from the Eighteenth Senatorial District, and making the said salary payable to Eva Putnam, the widow of the said James D. Putnam.....	128
An Act making an appropriation to the executrix of James A. Creighton, deceased, late circuit judge of the Seventh judicial district of the State of Illinois.....	128
An Act making an appropriation for the payment of expenses, costs and charges connected with the control and the eradication of the foot and mouth disease during the years 1914, 1915 and 1916, and the payment of certain claims for horses that were destroyed on account of the contagion of glanders.....	129
An Act entitled, "An Act making an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons and companies named therein".....	137
An Act to make an appropriation for necessary repairs at State Arsenal, Springfield, Illinois, and necessary repairs, installation target machines, and additions to equipment at State Rifle Range, Camp Logan, near Zion City, Illinois.....	143
An Act in relation to the construction and maintenance of rural post roads under and in accordance with an Act of Congress entitled, "An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," approved July 11, 1916, and known as the Federal Aid Road Act.....	144
An Act entitled, "An Act to make an appropriation to pay the salaries of certain officers and former officers of the Illinois State Penitentiary for the month of June 1915.....	146
An Act to make an appropriation to the Secretary of State to provide funds necessary to carry on the business of the State to July 1, 1917.....	147
An Act making an appropriation to pay the State's portion of assessments for local improvements in and along certain streets in the city of Springfield upon which the State's property abuts.....	148
An Act to reappropriate the unexpended balance of appropriations made by an Act entitled "An Act in relation to procuring of sites and erection of armory buildings for the use of the Illinois National Guard and making appropriation therefor and for the purchase of sites and armory buildings at Kewanee and Morrison, Illinois" approved June 28, 1913, in force July 1, 1913, and a further Act entitled "An Act making appropriation of additional sum for the completion of armories now under construction" approved June 29, 1915, in force July 1, 1915, and a further Act entitled, "An Act in relation to the procuring of site and erection of an armory for the use of the Illinois National Guard at Kankakee," approved June 29, 1915 and in force July 1, 1915, and a further Act entitled, "An Act in relation to the procuring of site and erection of armory for the use of the Illinois National Guard and making appropriation therefor" filed June 19, 1915, in force July 1, 1915, and a further Act entitled "An Act in relation to procuring of site and erection of armory building for the use of the Illinois National Guard and Illinois Naval Reserve and making appropriation therefor" approved June 28, 1915, in force July 1, 1915.....	150
An Act making an appropriation from the road fund for the building and maintaining of State aid roads in the several counties of the State.....	151
An Act making an appropriation for the building and maintaining of State aid roads in the several counties of the State.....	152
An Act making an appropriation to meet a deficiency in the appropriation for the expenses of the Illinois State Board of Dental Examiners.....	152
An Act making an appropriation to meet a deficiency in the appropriation for the <i>per diem</i> of members of the Illinois State Board of Dental Examiners.....	153
An Act to establish a State Council of Defense, and making an appropriation therefor.....	153
An Act making an appropriation to meet a deficiency in the appropriation to the State Entomologist.....	155
An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.....	158
An Act making an additional appropriation to the State Highway Commission.....	196

APPROPRIATIONS—Concluded.	PAGE.
An Act making further appropriations to meet deficiencies in the appropriations for maintenance and operation of the penitentiaries of the State	197
An Act to make an appropriation to the State Treasurer to provide funds necessary to carry on the business of the State to July 1, 1917.....	197
An Act to make an appropriation to the Superintendent of Printing to conduct business of the State to July 1, 1917.....	198
An Act making a further appropriation to the Superintendent of Printing to conduct the business of the State to July 1, 1917.....	198
An Act making an appropriation for the use of the Supreme Court for the purchase and installation of steel filing cases and the binding and preservation of the records of said court.....	199
An Act making appropriations for the University of Illinois.....	199
ARBITRATION AND AWARDS :	
An Act to revise the law in relation to arbitrations and awards.....	202
ATTORNEYS AND COUNSELLORS :	
An Act to amend an Act entitled, "An Act to revise the law in relation to attorneys and counsellors," approved March 28, 1874, in force July 1, 1874 as subsequently amended, by amending section 1 thereof.....	205
BANKS :	
An Act to amend the title of "An Act concerning corporations with banking powers," approved June 16, 1887, submitted to a vote of the people at the November election, 1888, and adopted, so that said title shall read, "An Act concerning banks and banking" and to amend sections 2, 4, 7, 8, 10, 11 and 12 of said Act and to add to said Act after section 15 of said Act a new section to be known as section 15½, prohibiting all natural persons, firms or partnerships from transacting the business of banking, or receiving money on deposit, and from transacting certain other operations frequently transacted by banking corporations, and from using the term bank or banker.....	206
BONDS :	
An Act to make it a criminal offense to make or suborn the making of false schedules under oath or affirmation or to testify falsely as to the qualifications of sureties on bail bonds and recognizances, to provide a punishment therefor and to repeal a certain Act therein named.....	215
CANADA THISTLES :	
An Act to amend an Act entitled, "An Act concerning Canada Thistles," approved and in force March 15, 1872, by amending sections 1, 2, 3 and 6 of said Act.....	216
CENTENNIAL COMMISSION :	
An Act to amend an Act entitled: "An Act to create the Illinois Centennial Commission, and to define its powers and duties," approved January 21, 1916.....	218
CEMETERIES :	
An Act to amend an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903, as subsequently amended, by amending sections 5, 10 and 11 thereof.....	219
CHARITIES :	
An Act to amend an Act entitled, "An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and also, to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, (title as amended by Act approved June 28, 1915), as subsequently amended, by amending section 11 thereof.....	220
An Act to amend an Act entitled, "An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity, when such mothers have children under fourteen years of age and are residents of the county in which application for relief is made, and also to	

CHARITIES—Concluded.

PAGE.

provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, as subsequently amended, by amending section 2 thereof.....	221
An Act to amend an Act entitled: "An Act providing for the locating, constructing and completing of a State Hospital for the insane, and providing for the creation thereof," approved June 7, 1911, in force July 1, 1911, by amending section three (3) thereof.....	222
An Act to amend an Act entitled, "An Act to provide for the burial of deceased, indigent or friendless soldiers, sailors or marines of the late Civil War, the Spanish American War, the Philippine insurrection and the Boxer uprising in China, or their mothers, wives or widows," approved May 24, 1907, in force July 1, 1907, as subsequently amended, by amending the title thereof.....	223
An Act to create a State Farm.....	223

CITIES AND VILLAGES:

An Act to amend section 2 of an Act entitled, "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, in force July 1, 1909.....	225
An Act to authorize any city or village to sell real estate or its right and title therein, and to sell, convert or otherwise dispose of personal property belonging to it, when such real or personal property shall no longer be necessary or useful to, or its longer retention be for the best interests of, such city or village, and to repeal an Act named therein..	225
An Act granting all interest and title of the State of Illinois in certain lands to the city of Chicago, for street purposes.....	227
An Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 12, 1872, in force July 1, 1872, as subsequently amended, by amending section forty-nine (49) of Article XIII (thirteen) thereof.....	227
An Act entitled, "An Act to enable cities of over five hundred thousand (500,000) inhabitants to provide for and conduct public exhibitions, concerts, entertainments and celebrations, and to provide for the payment of the cost and expense of the same".....	229
An Act to amend section eighteen (18) of article thirteen (XIII) of an Act entitled: "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section eighteen (18) of article thirteen (XIII) thereof	229
An Act to revise the law creating a firemen's pension fund in cities, villages and incorporated towns with a population of not less than five thousand and not more than two hundred thousand inhabitants.....	231
An Act to amend an Act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by adding to Article thirteen (XIII) of said Act, a new section to be known and designated as section twenty-four-a (24a).....	238
An Act to amend an Act entitled, "An Act to enlarge the power of cities and villages in relation to harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters and all harbor structures, facilities, connections, improvements and utilities constructed or operated in connection therewith and for the purpose of carrying out such power to authorize the acquisition and condemnation of property and to authorize the use, occupation, recovery and acquisition of artificially made or reclaimed lands of the State and the reclamation and acquisition of the submerged lands of the State, and to repeal an Act entitled, 'An Act to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips, and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power, and to repeal all Acts or parts of Acts in conflict therewith,' approved June 10, 1911, and to repeal all other Acts or parts of Acts in conflict therewith," approved June 23, 1913, in force July 1, 1913, by adding thereto three (3) additional sections, to be known as sections 17a, 17b and 17c.....	239
An Act to amend section 1 of Article VIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended.....	240
An Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section one (1) of article eight (VIII) thereof.....	242

CITIES AND VILLAGES—Continued.

PAGE.

An Act to amend sections 65 and 67 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and in force July 1, 1897, as subsequently amended, and to add a new section to be known as "section 64a".....	244
An Act to amend sections 23, 30, 31 and 49 of an Act entitled "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended.....	246
An Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, by adding thereto section 33-B.....	248
An Act to amend sections 14, 92, 93 and 94 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and in force July 1, 1897 as subsequently amended.....	249
An Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by subsequent Acts, by adding a new section thereto.....	252
An Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by amending sections 68 and 72 thereof.....	253
An Act in relation to undistributed or unclaimed money received from the making of any local improvement paid for wholly or in part by special assessment or special taxation.....	254
An Act to amend an Act entitled "An Act concerning municipal funds," approved June 5, 1911, in force July 1, 1911, as subsequently amended..	256
An Act to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section 6 of Article VI thereof....	258
An Act to amend section 11 of Article VI of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended.....	258
An Act to amend an Act entitled, "An Act permitting all ex-Union soldiers and sailors honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois," approved May 11, 1901, in force July 1, 1901, by amending the title thereto and by amending sections one (1) and two (2) thereof.....	259
An Act to provide for a firemen's pension fund and to create a board of trustees to administer said fund in cities having a population exceeding two hundred thousand (200,000) inhabitants.....	260
An Act to amend section 9½ of "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, or municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities,' approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," (approved May 31, 1911, in force July 1, 1911), as amended by an Act, approved June 29, 1915, in force July 1, 1915.....	266
An Act to amend sections 1, 2, 7, 8, and 9 of an Act entitled, "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities,' approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," approved May 31, 1911, in force July 1, 1911, as subsequently amended.....	268
An Act entitled, "An Act to amend sections 3, 4, 5, 6, 7 and 9 of an Act to provide for the setting apart, formation and disbursement of a police pension fund in cities having a population exceeding two hundred thousand inhabitants," approved June 29, 1915, in force July 1, 1915.....	274
An Act to amend an Act entitled "An Act to authorize the election of police magistrates in towns, cities and villages where the same are not now provided for by law," approved and in force April 13, 1875, and as amended by Act approved May 24, 1907 and in force July 1, 1907.....	281
An Act to amend an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns in the State of Illinois, having a population of not less than 9,000 and not more than 50,000 inhabitants," approved June 14, 1909, in force July 1, 1909, as subsequently amended, by amending the title and section one (1) thereof.....	282
An Act to amend and revise sections twenty-two (22) and twenty-three (23) of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII," approved March 9, 1910, in force July 1, 1910....	284
An Act to enlarge the corporate limits of the sanitary district of Chicago..	285

CITIES AND VILLAGES—Concluded.	PAGE.
An Act in relation to the offices of assessor, collector and supervisor, in incorporated towns having a population of 25,000 and over by the last school census.....	286
An Act to amend an Act entitled, "An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums," approved March 7, 1908, in force July 1, 1908, and as subsequently amended, by the Act approved June 28, 1915, in force July 1, 1915, by adding to said Act five (5) new sections to be numbered 16, 17, 18, 19 and 20 respectively..	287
An Act to amend section 6 of "An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums," approved March 7, 1908, in force July 1, 1908, as amended.....	288
CIVIL SERVICE:	
An Act to amend sections 11 and 12 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905, as subsequently amended.....	289
CONVEYANCES:	
An Act to amend an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, be and the same is hereby amended by amending section (55) thereof.....	291
CORPORATIONS:	
An Act to amend an Act entitled, "An Act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of the Articles of Incorporation for failure to do so, and to repeal a certain Act therein named," approved May 10, 1901, in force July 1, 1901, and amendments thereto, in force July 1, 1903, by amending section seven (7) thereof.....	292
An Act to prevent fraud in the sale and disposition of stocks, bonds, or other securities sold or offered for sale within the State of Illinois, by any dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such stocks, bonds, or other securities and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations, or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale within the State, of any stocks, bonds, or other securities, and providing penalties for the violation thereof.....	294
An Act to amend an Act entitled, "An Act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association," in force July 1, 1879, as subsequently amended, by amending section eight (8) thereof.....	302
An Act to amend an Act entitled: "An Act to provide for the incorporation of co-operative associations for pecuniary profit," filed July 8, 1915, in force July 8, 1915, by amending section seventeen (17) thereof.....	303
An Act to amend an Act entitled, "An Act to provide for the incorporation of co-operative associations for pecuniary profit," filed July 8, 1915, in force July 8, 1915, by amending section two (2) thereof.....	304
An Act to amend section 1 of an Act entitled, "An Act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State," approved June 15, 1895, in force July 1, 1895, as subsequently amended.....	304
An Act to amend an Act entitled, "An Act to regulate the admission of foreign corporations for profit to do business in the State of Illinois," approved May 18, 1905, in force July 1, 1905, as subsequently amended	306
An Act to amend an Act entitled, "An Act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, as subsequently amended, adding a new section thereto, to be known as section seven-a (7a)	307
An Act to amend an Act entitled, "An Act to restore charters of all corporations organized not for pecuniary profit, including religious corporations, existing by virtue of any general or special law of this State, prior to July 1, 1903," approved and in force May 13, 1905, by amending section two (2) thereof.....	308
An Act to prohibit corporations from practicing law, directly or indirectly, making the same a misdemeanor and providing penalties for the violation thereof	309
An Act to amend an Act entitled, "An Act concerning corporations," approved April 18, 1872, in force July 1, 1872, as amended by subsequent Acts, by amending section 1 thereof, and by adding new sections thereto to be known as sections 1a, 1b and 1c.....	310

CORPORATIONS—Concluded.

PAGE.

An Act to provide for the incorporation of associations for the purpose of owning certain classes of real estate and defining and limiting the powers of such corporations.....	312
An Act to make uniform the law of transfer of shares of stock in corporations	316

COUNTIES:

An Act to legalize and make valid county bonds voted for the purpose of constructing and improving public roads, and to confer upon the proper county boards full power and authority to issue any such bonds.....	321
An Act to amend section 27 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by subsequent Acts, and to add thereto section 27½.....	322

COURTS:

An Act to amend sections one (1) and two (2) of an Act entitled, "An Act to provide for the appointment of one clerk for each of the judges for each Appellate Court and to fix the salary of such clerks," approved April 17, 1899, in force July 1, 1899.....	323
An Act to amend an Act entitled, "An Act to revise the law concerning the time of holding the terms of Circuit Court and of the calling of juries in the several judicial circuits, exclusive of Cook County," approved June 23, 1915, and in force July 1, 1915, by amending section 3 thereof	324
An Act to create the Court of Claims and to prescribe its power and duties	325
An Act to amend an Act entitled, "An Act to extend the jurisdiction of County Courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874, as subsequently amended, by amending sections forty-three (43), sixty-eight (68) and one hundred six (106) thereof.....	327
An Act in relation to county and probate judges.....	327
An Act to amend an Act entitled, "An Act in relation to Courts of Record in cities," approved May 10, 1901, in force July 1, 1901, as subsequently amended, by amending section five (5) thereof.....	328
An Act to provide for an increase in the number of judges of the Superior Court of Cook County and to provide for the nomination of candidates for said judicial offices.....	329
An Act to amend sections 40, 42 and 48 of an Act entitled, "An Act in relation to a Municipal Court in the city of Chicago," approved May 18, 1905 and in force July 1, 1905 as subsequently amended.....	329
An Act to amend sections 50, 62 and 63 of an Act entitled, "An Act in relation to a Municipal Court in the city of Chicago," approved May 18, 1905, and in force July 1, 1905, as subsequently amended.....	333

CRIMINAL CODE:

An Act to amend an Act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, commonly known as the Criminal Code, by adding thereto an additional section to be known as section 224½.....	337
An Act to amend division 15 of chapter 38, the same being an Act entitled, "An Act to revise the laws in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and the Acts amendatory thereof, by adding the following section to be known as section 12.....	338
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending sections 7, 8, 9, and 10 of Division III thereof.....	339
An Act to define and provide a punishment for the crime of burglary with explosives	341
An Act to amend an Act entitled: "An Act to revise the law in relation to coroners," approved February 6, 1874, in force July 1, 1874, as subsequently amended, by amending section twenty-two (22) thereof.....	341
An Act concerning the sale and manufacture of articles composed in whole or in part of cotton duck or canvass, used for awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops and for similar uses	342
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and subsequently amended, commonly known as the Criminal Code, by adding thereto additional sections to be known as sections 350-A, 350-B and 350-C.....	343
An Act to punish the making, drawing, uttering or delivering of checks, drafts or orders for the payment of money with intent to defraud.....	344

CRIMINAL CODE—Concluded.	PAGE.
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known as section 63a.....	345
An Act to provide for the extradition of persons of unsound mind, and to make uniform the laws of the states which enact the same.....	345
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by an Act approved June 8, 1909.....	347
An Act to amend "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending section 98 thereof.....	348
An Act concerning larceny and embezzlement of funds and property.....	348
An Act to make unlawful the damaging or unauthorized tampering or meddling with a motor vehicle or with the motor or other parts thereof, and providing a penalty therefor.....	349
An Act to amend section two and the title of an Act entitled; "An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial therefor, and providing what shall be a defense," approved June 1, 1908, in force July 1, 1908.....	349
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto, three new sections, to be known as sections 540, 185e and 188a.....	351
An Act to prohibit fortune-telling and other practices whereby money is obtained on the pretense of the exercise of occult powers.....	352
An Act to revise the law in relation to the sentence and commitment of persons convicted of crime or offenses and providing for a system of parole and to repeal certain Acts and parts of Acts therein named.....	353
An Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known and designated as section fifty-six-a (56a).....	362
An Act to amend an Act, entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto two new sections to be known as sections 224a and 224b.....	362
DEBTOR AND CREDITOR:	
An Act in relation to the payment of wages otherwise than in lawful money, and to repeal an Act entitled "An Act to prevent extortion and compel the payment of debts contracted for labor in bankable currency," approved June 21, 1895, in force July 1, 1895.....	363
DRAINAGE:	
An Act to amend "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by an Act approved June 30, 1885, in force July 1, 1885, as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 20, 1907; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913, by adding a section to be known as section 58a.....	364
An Act to amend an Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913; as amended by an Act approved June 28, 1915, in force July 1, 1915 by adding thereto a section to be numbered section 65a.....	365
An Act to amend an Act entitled, "An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as subsequently amended, by amending section 37 thereof	367

DRAINAGE—Concluded.

PAGE.

An Act to amend section 15a of an Act entitled, "An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named," approved June 27, 1885, in force July 1, 1885, as subsequently amended.....	369
An Act to amend an Act entitled, "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879; as subsequently amended, by adding thereto a new section to be known as section 34A.....	370
An Act to provide for the organization of Little Wabash River Drainage District and for the changing and improvement of the channel of Little Wabash River and its tributaries by special assessments on the property benefited thereby.....	371
An Act to enable the owners of farm lands which form any part of a drainage district, in which there is located in whole or in part a city, town or village, to reorganize as a separate drainage district with certain rights and duties in relation thereto.....	393
An Act concerning sanitary districts organized and existing under and by virtue of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, to make legal and valid all ordinances, orders or resolutions heretofore passed or adopted by the board of trustees of any such sanitary district, making appropriations providing for the issuance of bonds and making a certain tax levy, and to make legal and valid all appropriations so made, or attempted to be made, and certain taxes so levied or attempted to be levied and all bonds so issued or attempted to be issued by the board of trustees of any such sanitary district.....	394
An Act to amend section 17 of "An Act to create sanitary districts in certain localities and to drain and protect the same from overflow for sanitary purposes," approved May 17, 1907, in force July 1, 1907, and to further amend said Act by repealing section 22 thereof.....	395
An Act to create sanitary districts and to provide for sewage disposal....	396
An Act to amend section 26 of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889.....	404
An Act to provide for the organization of Skillet Fork River Drainage District and for the improvement of the Channel of Skillet Fork River and its tributaries by special assessments on the property benefited thereby.....	405
An Act to amend sections 8 and 23 of an Act to provide for the organization of Skillet Fork River Drainage District and for the improvement of the channel of Skillet Fork River and its tributaries by special assessments on the property benefited thereby," approved and in force April 12, 1917.....	427
An Act to authorize the levying of special assessments upon lands, railroad, public highways and municipal corporations situate within any drainage district so as to provide the funds necessary to pay the cost of construction for benefits that shall have been conferred by the construction of any work of improvement, without special assessments having been legally levied prior thereto, and providing for the issuance of bonds payable out of such special assessments, authorized by this Act to be levied.....	429

ELECTIONS:

An Act to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors.....	434
An Act to enable qualified electors of this State enlisted in companies or regiments organized in this State and absent from their election precincts because engaged in actual military service, to vote as a unit in certain elections.....	440
An Act to amend an Act entitled, "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section fifty-nine (59) thereof.....	444
An Act to amend an Act entitled, "An Act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns of this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, by amending section 7 of Article II, sections 5, 11, 17, 18, 21 and 27 of Article III, section 6 of Article IV, sections 5 and 6 of Article VII, and by repealing sections 19, 20, 22, 23 and 24 of Article III thereof.....	445
An Act to amend an Act entitled: "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated	

ELECTIONS—Concluded.

PAGE.

towns in this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, by amending section twenty (20) of Article two (II) thereof.....	452
An Act to amend section 1 of Article IV of an Act to provide for the incorporation of cities and villages (approved April 10, 1872, in force July 1, 1872) as subsequently amended.....	453
An Act to amend an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section sixty-three (63) thereof.....	453
An Act to provide for the nomination by political parties of judges of the Superior Court of Cook County and of all circuit judges.....	454
An Act in relation to promises or pledges by candidates for elective offices	455
An Act to prohibit the publication and distribution of anonymous printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office, prohibiting the circulation of such matter in the name of leagues, societies, organizations and associations, prescribing the manner in which printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office may be published and distributed, and providing a penalty for the violation of its provisions.....	456
An Act to amend an Act entitled: "An Act for the registry of electors and to prevent fraudulent voting," approved and in force February 15, 1865, as subsequently amended, by amending sections one (1) and four (4) thereof, so that the said sections when amended, shall read as follows..	458
An Act regulating the registration of voters in cities of more than 150,000 inhabitants, having a board of election commissioners, and in incorporated towns under the jurisdiction of such board of election commissioners	460
An Act in relation to the office of a president and a clerk in incorporated towns having a population of 25,000 and over by the last school census	486
An Act to amend an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section thirty-three (33) thereof.....	486

EMPLOYMENT:

An Act to establish a commission to investigate sickness and accident, not compensated by workmen's compensation, of employed persons and their families and to make appropriation therefor.....	488
An Act to amend section 2, section 3, section 5, section 7, section 8, section 13, section 14, section 16, section 19 and section 31 of an Act entitled, "An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof and a penalty for its violation and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State, by providing compensation for accidental injuries or death suffered in the course of employment,' approved June 10, 1911, in force May 1, 1912," approved June 28, 1913, and in force July 1, 1913; as amended by an Act approved June 28, 1915, and in force July 1, 1915, and to further amend said Act by adding thereto an additional section to be known as section 3½ and declaring an emergency	490
An Act to amend an Act entitled, "An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment,' approved June 10, 1911, in force May 1, 1912," approved June 28, 1913, in force July 1, 1913, as subsequently amended, by repealing section two (2) thereof and by amending sections one (1), three (3), four (4), eleven (11), thirteen (13), twenty-six (26), twenty-nine (29) and thirty-two (32) thereof.....	505
An Act concerning child labor, and to repeal an Act entitled, "An Act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof," approved May 15, 1903, in force July 1, 1903.....	511
An Act to amend an Act entitled: "An Act relating to employment officers and agencies," approved and in force May 11, 1903, as subsequently amended, by adding a new section thereto, to be known as section 1d..	518
An Act to provide for the creation of a commission for the study of the conditions of industry in which women are engaged, to be known as the Illinois Industrial Survey, and defining the powers and duties thereof, and making an appropriation therefor.....	519

EMPLOYMENT—Concluded.

PAGE.

- An Act to provide for the licensing of plumbers, and to provide for the supervision and inspection of plumbing and providing penalties for the violation thereof, and to repeal an Act entitled "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing" approved June 10, 1897, in force July 1, 1897, and all amendments thereto and all Acts and parts of Acts inconsistent herewith..... 520

FEES AND SALARIES :

- An Act to amend an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, the title of which Acts was amended as above on March 28, 1874, in force July 1, 1874, and subsequent Acts amendatory thereto, by amending section 40 of said Act 523
- An Act to amend an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as subsequently amended by amending section 20 thereof..... 525
- An Act to amend an Act entitled, "An Act fixing and providing for the payment of salaries of state's attorneys and their assistants, defining their duties, providing for the appointment of assistants, and to provide for the collection and disposition of the fees provided by law to be paid to the state's attorneys, and to repeal all Acts in conflict therewith," approved June 11, 1912, in force July 1, 1912, and sections three (3) and four (4) thereof as amended by an Act approved June 27, 1913, in force July 1, 1913, by adding thereto a new section to be known as section seven (7)..... 526

FENCES :

- An Act to amend an Act entitled, "An Act to revise the law in relation to fences," approved March 21, 1874, in force July 1, 1874, as amended by subsequent Acts, by amending sections 2, 5, 7 and 11 respectively thereof 527

FLAGS :

- An Act authorizing the Illinois Centennial Commission to have an official State banner or flag..... 528
- An Act to authorize the return of the regimental flag of the Second Tennessee Cavalry, C. S. A. 529

FORESTRY :

- An Act to amend an Act entitled: "An Act to provide for the creation and management of forest preserve districts and repealing certain Acts therein named," approved June 27, 1913, in force July 1, 1913, by adding thereto a new section, to be known as section 8a..... 529

GENERAL ASSEMBLY :

- An Act to amend sections five (5) and nine (9) of an Act entitled, "An Act to provide for the election and appointment of officers and employees of the General Assembly of the State and fix their compensation and to repeal certain Acts therein named, approved and in force May 25, 1911" 530

GUARDIANS AND WARDS :

- An Act to amend an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by adding thereto a new section to be known as section 39a.. 531

HOUSES OF CORRECTION :

- An Act to amend an Act entitled, "An Act to establish houses of correction and authorize the confinement of convicted persons therein," approved April 25, 1871, as subsequently amended, by amending section 9 thereof 532
- An Act to amend section one of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a House of Correction Employees' Pension Fund in cities having a population exceeding 150,000 inhabitants," approved June 10, 1911, and in force July 1, 1911..... 533
- An Act to amend an Act entitled, "An Act to establish houses of correction, and authorize the confinement of convicted persons therein," approved April 25, 1871, in force July 1, 1871, as amended..... 533

INJUNCTIONS:	PAGE.
An Act in relation to suits to restrain and enjoin the disbursement of public moneys by officers of the State.....	534
An Act to prevent the mere bringing or pendency of any suit from changing the liability of public officers in the disbursement of public funds on account of notice of any matter contained in the pleadings.....	536

INSURANCE:

An Act to amend an Act entitled: "An Act to organize and regulate county fire insurance companies," approved June 2, 1877, in force July 1, 1877, as subsequently amended, by amending sections ten (10) and twelve (12) thereof.....	537
An Act to amend an Act entitled "An Act to organize and regulate county fire insurance companies," approved June 2, 1877, in force July 1, 1877, as subsequently amended, by amending section 8 thereof.....	538
An Act to amend section 11 of an Act entitled "An Act to organize and regulate county fire insurance companies." Approved June 2, 1877. In force July 1, 1877.....	539
An Act to amend an Act entitled, "An Act to authorize the organization and to regulate county mutual windstorm insurance companies," approved June 4, 1889, in force July 1, 1889, by amending sections 7, 8, 9, and 11 thereof.....	540
An Act to amend sections 2 and 3 of an Act entitled, "An Act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insureds of the same class and equal expectation of life, in the rates, amount or payment of premiums, in the return of premiums, dividends, rebates or other benefits," approved June 19, 1891, in force July 1, 1891.....	541
An Act to amend an Act entitled, "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof, and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws existing which conflict therewith," approved and in force June 22, 1893, as subsequently amended, by amending the first section of such Act....	542
An Act to amend an Act entitled, "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith," approved and in force June 22, 1893, as subsequently amended, by adding thereto six (6) new sections to be known as sections two-a (2a), two-b (2b), two-c (2c), two-d (2d), two-e (2e) and two-f (2f).....	544
An Act to amend section eighteen (18) of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869.....	546
An Act to amend section 1 of an Act entitled, "An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions of policies of life insurance companies, organized under the laws of this State, or doing business herein," approved May 20, 1907, in force January 1, 1908.....	547
An Act to amend an Act entitled, "An Act authorizing the organization, and to regulate district mutual windstorm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, as subsequently amended, by amending sections seven (7), eight (8), nine (9), and eleven (11) thereof.....	550
An Act to amend an Act entitled, "An Act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as subsequently amended, by amending sections eight (8) and twelve (12) thereof.....	552

INTEREST:

An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than seven (7) per centum per annum, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan.....	553
---	-----

JAILS AND JAILERS:

An Act to amend an Act entitled, "An Act to revise the law in relation to jails and jailers," approved March 3, 1874, in force July 1, 1874, as subsequently amended, by amending section 16 thereof.....	556
---	-----

JOINT RIGHTS AND OBLIGATIONS :

PAGE.

- An Act to amend section 1 of an Act entitled, "An Act to revise the law in relation to joint rights and obligations," approved February 25, 1874, in force July 1, 1874..... 557

JUDGMENTS AND DECREES :

- An Act to amend sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27a, 28, 29 and 30 of an Act entitled, "An Act in regard to judgments and decrees and the manner of enforcing the same by execution and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by subsequent Acts, and to make the amendments and repeal effected hereby inapplicable to sales of real estate made pursuant to decrees foreclosing mortgages or trust deeds executed prior to July 1, 1917, or foreclosing mechanic's liens or vendor's liens arising out of contracts existing prior to July 1, 1917, or made pursuant to a judgment or decree for breach of a contract existing prior to July 1, 1917, or any judgment or decree entered prior to July 1, 1917"..... 558

JUSTICES AND CONSTABLES :

- An Act to amend an Act entitled, "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, as subsequently amended by amending section 1, Article II of said Act..... 562

LIBRARIES :

- An Act to amend an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, by adding thereto a new section to be known as section three-a (3a)..... 564
- An Act to amend an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, by adding thereto a new section to be known as section three-b (3b)..... 565

LIENS :

- An Act to amend an Act entitled, "An Act to revise the law in relation to mechanic's liens. To whom, what for, and where lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches," approved May 18, 1903, in force July 1, 1903, as amended..... 566
- An Act to amend an Act entitled, "An Act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as subsequently amended, by adding four (4) new sections thereto to be numbered sections three-a (3a), three-b (3b), three-c (3c) and three-d (3d)..... 567

LIMITED PARTNERSHIPS :

- An Act to make uniform the law relating to limited partnerships..... 569

LUNATICS, IDIOTS, DRUNKARDS AND SPENDTHRIFTS :

- An Act to amend an Act entitled, "An Act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known as section 36a..... 577

MASTERS-IN-CHANCERY :

- An Act to amend section five, (5) of an Act entitled, "An Act concerning masters in chancery," approved April 4, 1872, in force July 1, 1872; as amended by an Act approved April 29, 1873, in force July 1, 1873, and as amended by an Act approved May 29, 1891, and in force July 1, 1891..... 578

MEDICINE AND SURGERY :

- An Act to revise the law in relation to the practice of the art of treating human ailments..... 579
- An Act to regulate the practice of chiropody in the State of Illinois..... 588
- An Act to amend section 4 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named," approved May 11, 1901, in force July 1, 1901, and to add thereto a new section to be known as section 4a..... 592
- An Act to amend section 14a of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named," approved May 11,

MEDICINE AND SURGERY—Concluded.

PAGE.

1901, in force July 1, 1901, as amended by an Act approved May 13, 1903, in force July 1, 1903, as amended by Act approved June 3, 1907, in force July 1, 1907, as amended by Act approved and in force January 17, 1908, as amended by Act approved June 10, 1911, in force July 1, 1911, as amended by Act approved June 23, 1915, in force July 1, 1915.....	594
---	-----

MINES AND MINERS:

An Act to amend an Act entitled, 'An Act to require fire-fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines,' approved and in force March 8, 1910, as subsequently amended, by amending sections two (2) and (6) thereof.....	596
An Act to establish a mining investigation commission of the State of Illinois, and to make appropriation therefor.....	599
An Act to amend an Act entitled, "An Act to revise the law in relation to coal mines and subjects relating thereto and providing for the health and safety of persons employed therein," approved June 6, 1911, in force July 1, 1911, as subsequently amended by amending section fourteen (14) thereof.....	602

NOTICES:

An Act to amend an Act entitled, "An Act to regulate service by publication in Courts of Record and to repeal Acts in conflict therewith," approved June 11, 1897, in force July 1, 1897, by amending section one (1) thereof.....	604
--	-----

PARKS:

An Act to enable the boards of commissioners of certain park districts to convey certain lands for park and other purposes.....	605
An Act to amend sections eight (8) and twelve (12) of an Act entitled, "An Act for the creation of pleasure driveways and park districts," approved June 19, 1893, and in force July 1, 1893, as amended by Act approved June 17, 1895, in force July 1, 1895, as amended by an Act approved and in force May 11, 1901, as amended by an Act approved June 7, 1911, and in force July 1, 1911.....	606
An Act to amend an Act entitled, "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895 as subsequently amended by amending section 7 thereof.....	611
An Act to amend section 15 of an Act entitled "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895, as amended by an Act approved April 22, 1899, in force July 1, 1899.....	611
An Act to provide for the setting apart, formation, administration and disbursement of a Park Police Pension Fund.....	612
An Act to enable park commissioners or park authorities to take, regulate, control, improve, repair and maintain public streets and to provide a method of securing funds for the improvement, repair, maintenance, regulation and control of same.....	621
An Act to enable park commissioners to widen and improve any boulevard, driveway or parkway under their control, to condemn land therefor, and to defray the cost thereof.....	623

PARTNERSHIPS:

An Act relating to partnerships and promote uniformity in the law with reference thereto.....	625
---	-----

PAUPERS:

An Act to amend an Act entitled: "An Act to revise the law in relation to paupers," approved March 23, 1874, in force July 1, 1874, as subsequently amended, by amending section twenty-eight thereof.....	638
--	-----

PENITENTIARIES:

An Act to amend an Act entitled, "An Act authorizing and empowering the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois in the manufacture of tile and culvert pipe for road drainage purposes, and in the manufacture of machinery,	
--	--

	PAGE.
PENITENTIARIES—Concluded.	
tools and appliances for the building, maintaining and repairing of the wagon roads of the State and for preparing road building and ballasting material, upon requisition of the State Highway Commission," approved May 18, 1905, in force July 1, 1905, by amending the title and by amending sections one (1) and two (2) thereof.....	640
PENSIONS:	
An Act providing for the creation of a commission to be known as the Illinois Pension Laws Commission, and defining the powers and duties of such commission.....	641
PLATS:	
An Act to amend an Act entitled: "An Act to revise the law in relation to plats," approved March 21, 1874, in force July 1, 1874, as subsequently amended, by amending section six (6) thereof.....	642
PRACTICE:	
An Act to amend an Act entitled, "An Act to regulate the practice in Courts of Chancery," approved March 15, 1872, in force July 1, 1872, as subsequently amended, by amending section 13 thereof.....	643
PUBLIC UTILITIES:	
An Act to amend section 28 of an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914.....	643
An Act to amend an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as subsequently amended, by amending section fifty-eight (58) thereof....	644
An Act to amend section 31 of article 3 of an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914.....	646
RAILROADS AND WAREHOUSES:	
An Act to amend section 6 of "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in moving traffic by railroad between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving wheel brakes, and for other purposes," approved May 12, 1905, in force July 1, 1905.....	647
An Act to regulate cold storage of certain articles of food.....	648
RECORDERS:	
An Act to amend section nine (9) of an Act entitled, "An Act to revise the law in relation to recorders," approved March 9, 1874, and in force July 1, 1874, as amended by an Act entitled "An Act to amend section nine (9) of an Act entitled, 'An Act to revise the law in relation to recorders,' approved March 9, 1874, in force July 1, 1874, and Acts amendatory thereof," approved May 16, 1905, and in force July 1, 1905	652
REVENUE:	
An Act to amend section 30 of an Act entitled, "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named." Approved February 25, 1898, in force July 1, 1898. As amended by an Act approved May 13, 1907, in force July 1, 1907	653
An Act to amend an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended, by amending sections 155 and 243 thereof.....	654
An Act to provide for the necessary revenue for State purposes.....	655
An Act to amend an Act entitled, "An Act to tax gifts, legacies, inheritances, transfers, appointments, and interests in certain cases, and to provide for the collection of the same, and repealing certain Acts therein named," approved June 14, 1909, in force July 1, 1909, as subsequently amended, by amending section 20 thereof.....	656
An Act to amend section 292 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended.....	657

REVENUE—Concluded.

PAGE.

An Act to amend an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended, by amending sections 125, 129, 179, 188, 201, 203, 229 and 230 thereof.....	658
An Act to amend section two of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915	662
An Act to amend an Act entitled "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended, by amending sections 247, 251, 252, 258, 259 and 287.....	664
An Act entitled an Act to amend section two of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915.....	668
An Act to make legal and valid annual appropriation bills for the fiscal year A. D. 1916, and taxes levied and extended thereon in counties by law required to adopt an annual appropriation bill in the first quarter of the fiscal year and to publish the annual appropriation bill in a newspaper, and to validate court proceedings now pending or hereafter to be brought for the collection of such taxes.....	670

ROADS AND BRIDGES:

An Act to amend an Act entitled: "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by adding thereto a new section, to be known as section 104a.....	671
An Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by adding thereto three new sections to be known as section 75a, section 145a and section 145b.....	672
An Act to amend sections 77 and 91 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended by subsequent Acts.....	674
An Act to legalize bonds of townships or road districts heretofore voted for the purpose of paying indebtedness incurred by highway commissioners of such township or road districts in repairing or rebuilding roads or bridges therein.....	675
An Act to amend section 2 of an Act entitled: "An Act to enable cities and villages to building, acquire and maintain bridges and approaches thereto outside their corporate limits, and to control the same, and to issue bonds to pay for such bridges and approaches, and to pledge such bridge and approaches and the income therefrom for the payment of such bonds and the interest thereon." Approved June 4, 1907. In force July 1, 1907.....	676
An Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending sections 35 and 61 thereof.....	677
An Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending sections 42, 43, 44, 45, 50 and 53, and by repealing sections 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167 thereof.....	679
An Act to amend section 74 of "An Act to revise the law in relation to roads and bridges," approved and in force July 1, 1913, as amended by subsequent Acts.....	684
An Act to legalize elections held under and by virtue of section 61, of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, and all Acts upon and proceedings taken by virtue of such elections.....	684
An Act to amend an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911, in force July 1, 1911, as subsequently amended, by amending sections 3, 4, 7, 8, 12 and 13 thereof, and by adding thereto one new section to be known as section 15b....	685

ROADS AND BRIDGES—Concluded.

PAGE.

An Act to amend sections 2, 5 and 19 of an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911; in force July 1, 1911, and all amendments thereto in force January 1, 1916.....	691
An Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending section fifty-five (55) thereof.....	694
An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois.....	696
An Act to amend sections sixty-one (61), one hundred and eight (108), one hundred and nine (109), one hundred and twelve (112), one hundred and twenty-six (126), and one hundred and twenty-seven (127) of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended	710
An Act to amend section 15d, approved June 28, 1915, in force July 1, 1915, of Article IV of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, and all amendments thereto.....	714
An Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended by amending section 9 thereof.....	716

SALES:

An Act to amend section sixty-four (64) of an Act entitled, "An Act to make uniform the law relating to the sale of goods," approved June 29, 1915, in force July 1, 1915.....	718
--	-----

SCHOOLS:

An Act to amend an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, by amending section 211 thereof.....	719
An Act to amend an Act entitled, "An Act to provide for the appointment of school directors, and members of the board of education in certain cases, approved May 29, 1879, in force July 1, 1879," as amended by subsequent Acts, by providing in section 2 thereof that in all cities constituting a school district having a population of 45,000 or more, to which said Act applies, the board of education shall consist of eleven persons, one of whom shall be the president thereof, nominated by the mayor from the city at large, and confirmed by the city council.....	721
An Act providing that the board of education of any school district existing by virtue of any special charter may sell real estate conveyed to it heretofore or hereafter by any city for school purposes and use the proceeds derived therefrom for school building purposes or for the purchase of other real estate for such purposes.....	723
An Act to amend sections 128 to 139, inclusive, and section 161 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909; and to provide a method of proving the records, rules, resolutions, and ordinances of boards of education in cities having a population exceeding 100,000 inhabitants.....	724
An Act to amend section 145 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as thereafter amended.....	732
An Act to amend an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, by adding thereto a new section to be known as section 121a.....	733
An Act to make provision for the education of deaf and blind children....	734
An Act to amend section 86 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended by an Act approved June 6, 1911, and in force July 1, 1911	735
An Act to amend sections 88, 89, 90, 91, 92, 93, 94, 95 and 96 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, and to repeal conflicting statutes.....	737
An Act entitled, "An Act to legalize the organization of certain high school districts".....	744

SCHOOLS—Concluded.

PAGE.

An Act authorizing school districts to acquire real estate by gift, donation or devise for the purpose of establishing, maintaining and operating playgrounds, recreation grounds and athletic fields and to provide for the policing thereof.....	745
An Act relative to property conveyed, devised or bequeathed for the use and benefit of any public school district.....	746
An Act to amend an Act entitled, "An Act to enable any board of school inspectors, or any body or board of officials which governs or has charge of the affairs of any school district having a population of not fewer than ten thousand (10,000) and not more than one hundred thousand (100,000) inhabitants and governed by special acts of the General Assembly of this State and in such other districts as may hereafter be ascertained by any special or general census to have such population, and which school districts are also governed by like special Acts, to establish and maintain a Teachers' Pension and Retirement Fund," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending section 3 thereof.....	746
An Act to amend an Act entitled: "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, in force July 1, 1915, by amending section twenty-three (23) thereof.....	747
An Act to create and administer a State Institution Teachers' Pension and Retirement Fund.....	748
An Act to regulate the adoption, sale and distribution of school textbooks	754
An Act to legalize certain elections held under and by virtue of an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended.....	757
An Act to amend section 173 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, and as subsequently amended.....	757
An Act to amend section one hundred seventeen (117) of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended.....	758

STATE BOARD OF HEALTH:

An Act to amend section 18 of an Act entitled, "An Act to provide for the registration of all births, stillbirths, and deaths in the State of Illinois, and to repeal an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903, as amended by an Act approved June 22, 1915, in force July 1, 1915.....	759
An Act to amend sections 1 and 2 of an Act entitled, "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, as amended, and to add thereto three new sections to be known as sections 1a, 1b and 1c.....	761
An Act to authorize the organization of public health districts and for the establishment and maintenance of a health department for the same....	763

STATE FOOD COMMISSIONER:

An Act to amend an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, in force July 1, 1907, as subsequently amended by amending section twenty-one (21) thereof.....	768
An Act to regulate the sale of paints, oils and other articles or compounds used in connection therewith.....	769
An Act to protect the public and the manufacturers of dairy products from frauds and imitations and to prevent the public from being deceived in the use of adulterated foods by providing for marking, stamping and branding of cans or other containers for the handling and transportation of dairy products; for the registration of such mark or brand and prohibiting the use of such marked can, bottle or other container for any other than the designated purpose; and for preventing the use of any such brand or mark of another; and from defacing or removing the same; and providing penalties for violation thereof; and making it the duty of the Food and Dairy Commissioner to enforce the law.....	773
An Act to amend an Act entitled "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State	

STATE FOOD COMMISSIONER—Concluded.

PAGE.

Food Commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict therewith," approved May 14, 1907 and in force July 1, 1907, as amended by subsequent Act, by amending section 9 of said Act as heretofore amended and by adding thereto a new section to be known as section 39a.1.; and to repeal section 39b. of said Act as amended..... 774

STATE HISTORICAL LIBRARY:

An Act to amend section 4 of an Act entitled, "An Act to establish the Illinois State Historical Library and to provide for its care and maintenance and to make an appropriation therefor," approved May 25, 1889, in force July 1, 1889, as amended by an Act approved June 10, 1911, in force July 1, 1911..... 777

STATE LANDS:

An Act providing for the sale by the State of Illinois to Illinois Steel Company of certain lands in the city of Joliet, Will County, Illinois..... 778
An Act for the sale to the Iroquois Iron Company of the interest of the State of Illinois in certain lands..... 779

STATE MILITIA:

An Act to amend section 4 of article 16 of "An Act to establish a Military and Naval Code for the State of Illinois, and to repeal all Acts in conflict therewith" approved June 10, 1909, in force July 1, 1909..... 781
An Act to amend an Act entitled: "An Act to establish a Military and Naval Code for the State of Illinois and to repeal all Acts in conflict herewith," approved June 10, 1909, in force July 1, 1909, as subsequently amended, by amending section 2 of Article XVI thereof..... 782
An Act to provide for the organization of reserve militia from the unorganized militia of the State..... 782
An Act to amend sections one (1) and two (2) of Article one (1), sections one (1), two (2), three (3) and four (4) of Article two (2), and sections one (1) and four (4) of Article thirteen (13) of an Act entitled, "An Act to establish a Military and Naval Code of the State of Illinois, and to repeal all Acts in conflict therewith," approved June 10, 1909, in force July 1, 1909, to add one section to Article six (6) of said Act, to be known as section twenty-one (21), and to repeal certain sections of certain articles of said Act..... 784
An Act to regulate the solicitation of funds and other property for purposes of war aid and war charity during the duration of the war in which the United States is now engaged..... 787

STATUTES:

An Act to publish, distribute and sell the laws of the territory of Illinois and all the laws and joint resolutions passed prior to January 1, 1917, at all regular and special sessions of the General Assemblies of the State of Illinois, and provide for their admission in evidence and to repeal an Act therein named..... 789

TELEGRAPH AND TELEPHONE COMPANIES:

An Act to amend an Act entitled, "An Act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874, as subsequently amended, by amending section 7 of said Act and by adding a new section to be known and designated as section 7a..... 791

TOWNSHIP ORGANIZATION:

An Act to amend section 3 of Article XIII of an Act entitled, "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended by subsequent amendatory Acts thereto 792
An Act to amend an Act entitled, "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as subsequently amended, by amending section one (1) of Article seven (VII)... 792
An Act to provide for the validation of road bonds issued by any township in this State and to authorize the refunding of the same..... 793
An Act to amend an Act entitled, "An Act concerning townships lying wholly within cities of more than 50,000 population," approved and in force May 11, 1901, as subsequently amended, by amending section (1) and (2) thereof, so that the said sections when amended, shall read as follows 794
An Act to authorize transfer of surplus town funds to other town funds or road and bridge funds..... 795

WEIGHTS AND MEASURES :

PAGE.

An Act to amend an Act entitled, "An Act to revise the law in relation to weights and measures," approved June 27, 1913, in force July 1, 1913, by amending sections twelve (12) and fifteen (15) and by adding section nineteen-a (19a)..... 796

WILLS :

An Act to amend section 1 of, and add sections 2 and 3 to an Act entitled, "An Act in relation to the probate of wills," approved June 3, 1897, in force July 1, 1897 as amended by Act approved June 8, 1909, in force July 1, 1909..... 799

An Act providing for the probate in this State of probated foreign wills and to make uniform in that regard the laws of the states enacting the same 800

LAWS OF THE STATE OF ILLINOIS.

ADMINISTRATION OF ESTATES.

NOTICES.

§ 1. Amends section 105 Act of 1872.

§ 105. Provides that thirty days must intervene.

(HOUSE BILL No. 782. APPROVED JUNE 26, 1917.)

AN ACT to amend section 105 of an Act entitled, "*An Act in regard to the administration of estates,*" approved April 1, 1872; in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 105 of an Act entitled, "*An Act in regard to the administration of estates,*" approved April 1, 1872; in force July 1, 1872, be amended to read as follows:

§ 105. The notice required in the preceding section may be given at any time after the filing of the petition, and shall be published once in each week for four successive weeks, and no default or proceeding shall be taken against any defendant not served with summons, and not appearing, unless thirty days shall intervene between the first publication, as aforesaid, and the first day of the term at which such default or proceeding is proposed to be taken.

APPROVED June 26, 1917.

PROCEEDINGS TO SELL REAL ESTATE OF DECEDENTS TO PAY DEBTS.

§ 1. Constructive notice to be from time of filing bill of complaint or petition—who deemed subsequent purchaser—notice as to property outside of county where suit is brought.

(HOUSE BILL No. 343. APPROVED JUNE 11, 1917.)

AN ACT concerning constructive notice of suits in equity, proceedings to sell real property of decedents to pay debts, or other suits in the nature of suits in equity, involving real property.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every suit in equity, proceeding to sell real estate of decedent to pay debts, or other suit in the nature of suits in equity, affecting or involving real property, shall, from the time of the filing of the bill of complaint or petition, be constructive notice to every person subsequently acquiring an interest in or a lien on the property affected thereby and every such person and every person acquiring an interest or lien as aforesaid, not in possession of said property and whose interest or lien is not shown of record at the time of filing such bill of complaint or petition, shall, for the purposes of this Act, be deemed a subsequent purchaser and shall be bound by the proceedings to the same extent and in the same manner as if he were a party thereto. If in any such suit, complainant or petitioner

shall neglect or fail for the period of six months after the filing of the bill or petition, to cause notice to be given the defendant or defendants, either by service of summons or publication as required by law, then such bill or petition shall cease to be such constructive notice until service of summons or publication as required by law, is had. *Provided, however,* that no such suit or proceeding shall be constructive notice as aforesaid, either before or after service of summons or publication, as to property situated outside of the county where the suit or proceeding is brought, nor shall subsequent purchasers be bound thereby, as aforesaid, until a notice setting forth the title of the cause, the court where it was brought, a description of the real estate affected thereby, and the general object thereof, which may be stated briefly and in general terms, shall be filed in the office of the recorder of deeds in the county where such property is located.

APPROVED June 11, 1917.

ADMINISTRATION OF STATE GOVERNMENT.

THE CIVIL ADMINISTRATIVE CODE.

GENERAL PROVISIONS.

- § 1. Title of Act.
- § 2. "Department" defined.
- § 3. Departments of state government created.
- § 4. Department heads—directors, offices created.
- § 5. Executive and administrative officers and boards and commissions.
- § 6. Advisory and non-executive boards.
- § 7. Qualifications of members of advisory non-executive boards.
- § 8. Powers and duties.
- § 9. Salaries of administrative and executive officers.
- § 10. Advisory and non-executive boards to receive no compensation.
- § 11. Executive and administrative officers to devote entire time to duties—shall hold no other position.
- § 12. Appointment of officers—vacancy.
- § 13. Term—normal school board—term.
- § 14. Oath.
- § 15. Bond.
- § 16. Government of department—director to prescribe regulations.
- § 17. Departmental offices to be maintained in Capitol building—branch offices.
- § 18. Office hours for transaction of public business.

§ 19. Seal.

- § 20. Employment, subject to civil service, of necessary employees—compensation.
- § 21. Hours of labor of employees.
- § 22. Employee entitled to annual leave of absence.
- § 23. No employee shall be paid for extra services.
- § 24. Civil service—application of law.
- § 25. Annual report to Governor by directors of departments—other reports.
- § 26. Cooperation by directors of departments.
- § 27. Money received by departments—payment into State treasury.
- § 28. Contracts for buildings and supplies let to lowest bidder—advertisement — bids — "official newspaper."
- § 29. Contracts for fuel—approval by Governor.
- § 30. Maximum price for fuel.
- § 31. When power is vested in department to inspect, examine, secure data or information—duty of other department.
- § 32. When rights, powers and duties of officer, board or commission are transferred or vested in a department created by this Act—Acts shall have same legal effect—obligations, duties and rights of persons and corporations—penalties—transfer of books, papers, documents, property and appropriations.

THE CIVIL ADMINISTRATIVE CODE—Continued.

§ 33. When reports or notices are required to be made or given, or papers or documents furnished or served.

§ 34. Pending actions and proceedings.

§ 35. Offices, boards and commissions abolished.

THE DEPARTMENT OF FINANCE.

§ 36. Powers of the department of finance.

§ 37. Preparation of State budget by director of finance—submission to Governor.

§ 38. Governor shall submit budget to General Assembly with recommendations, and estimates of revenues.

§ 39. Each department must prepare and submit estimate for expenditure before appropriation is available.

THE DEPARTMENT OF AGRICULTURE.

§ 40. Shall have power to exercise the rights, powers and duties vested in—

1. Board of live stock commissioners;
2. State veterinarian;
3. Stallion registration board;
4. State inspector of apiaries;
5. State game and fish commission;
6. State food commissioner and food standard commission;
7. State entomologist;
- 8-22. Other powers and duties.

§ 41. Standards of quality, purity and strength determined by food standard commission.

§ 42. Rights, title and interest to State fair grounds shall succeed to State.

THE DEPARTMENT OF LABOR.

§ 43. Shall exercise rights, powers and duties vested in—

1. Commissioners of labor;
2. Superintendents and advisory boards of free employment offices;
3. Chief inspector and inspectors of private employment agencies;
4. Chief factory inspector and deputy factory inspectors;
5. State board of arbitration and conciliation;
6. Industrial board;
- 7-16. Other powers and duties.

§ 44. Workmen's compensation and arbitration and conciliation acts to be administered by industrial commission.

THE DEPARTMENT OF MINES AND MINERALS.

§ 45. Shall have power to exercise the rights, powers and duties vested in—

1. State mining board;
2. State mine inspectors;
3. Miners examining commission;
4. Mine fire fighting and rescue station commission; superintendents and assistant superintendents;
- 5-8. Other powers and duties.

§ 46. Mining board — meetings and duties.

§ 47. Executive officer of mining board —certificates of qualification and competency.

§ 48. Shall exercise powers and duties of miners examining commissioners—miners examining board.

THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS.

§ 49. Shall exercise rights, powers and duties vested in—

1. State highway department, State highway commission and State highway engineers;
2. The canal commissioners;
3. Rivers and lakes commission;
4. Illinois waterway commission;
5. Illinois park commission;
6. Fort Massac trustees;
7. Lincoln Homestead trustees;
8. Commissioners of Lincoln monument;
9. Superintendent of printing;
- 10-24. Other powers and duties.

§ 50. Advisory and non-executive boards —duties.

§ 51. Director of public works authorized to acquire lands.

§ 52. Moneys received in connection with management of Illinois and Michigan Canal—payment to State treasury.

THE DEPARTMENT OF PUBLIC WELFARE.

§ 53. Shall have power to exercise rights, powers and duties vested in—

1. Board of administration;
2. State deportation agent;
3. State agent for visitation of children;
4. Commissioners and warden of Illinois State penitentiary at Joliet.
5. Commissioners and warden of Southern Illinois penitentiary;
6. Board of Managers and superintendent Illinois State reformatory;
7. Board of prison industries;
8. Board of classification;
9. Board of pardons.

THE CIVIL ADMINISTRATIVE CODE—Concluded.

§ 54. Board of public welfare commissioners—additional duties.

THE DEPARTMENT OF PUBLIC HEALTH.

§ 55. Powers and duties of department of public health.

THE DEPARTMENT OF TRADE AND COMMERCE.

§ 56. Shall have power to exercise rights, powers and duties vested in—

1. State public utilities commission;
2. Insurance superintendent;
3. Chief grain inspector, warehouse registrar, State weighmaster;
4. Inspectors of automatic couplers, brakes, etc.;
5. State fire marshal and inspectors;
- 6-8. Other powers.

§ 57. Public utilities commission—duties.

THE DEPARTMENT OF REGISTRATION AND EDUCATION.

§ 58. Shall have power to exercise rights, powers and duties vested in—

1. Board of education of the State of Illinois and boards of trustees of State normal schools;
2. State board of veterinary examiners;
3. Board of examiners of horse-shoers;
4. State board of examiners of architects;

5. State board of examiners of structural engineers;

6. State board of health relating to practice of medicine;

7. State board of health relating to embalming;

8. State board of pharmacy;

9. State board of dental examiners;

10. State board of nurse examiners;

11. State board of optometry;

12. State board of barber examiners;

13-32. Other powers and duties.

§ 59. Normal school board—powers and duties.

§ 60. Additional powers conferred in administration of laws regulating professions, trades and occupations—boards of examiners.

§ 61. Certificates and licenses—by whom issued.

§ 62. Functions and duties of State entomologist, State laboratory of natural history, State water survey and State geological survey to be exercised at University of Illinois.

§ 63. Board of natural resources and conservation—duties—board of State museum advisors.

§ 64. Acts and parts of Acts repealed.

§ 65. Repeal *a dato*.

(HOUSE BILL NO. 279. APPROVED MARCH 7, 1917.)

AN ACT *in relation to the civil administration of the State government, and to repeal certain acts therein named.*

GENERAL PROVISIONS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* This Act shall be known as "The Civil Administrative Code of Illinois."

§ 2. The word "department," as used in this Act, shall, unless the context otherwise clearly indicates, mean the several departments of the State government as designated in Section 3 of this Act, and none other.

§ 3. Departments of the State government are created as follows:

The Department of Finance;

The Department of Agriculture;

The Department of Labor;

The Department of Mines and Minerals;

The Department of Public Works and Buildings;

The Department of Public Welfare;

The Department of Public Health;

The Department of Trade and Commerce;

The Department of Registration and Education.

§ 4. Each department shall have an officer at its head who shall be known as a director, and who shall, subject to the provisions of this Act, execute the powers and discharge the duties vested by law in his respective department.

The following officers are hereby created:

Director of Finance, for the Department of Finance;

Director of Agriculture, for the Department of Agriculture;

Director of Labor, for the Department of Labor;

Director of Mines and Minerals, for the Department of Mines and Minerals;

Director of Public Works and Buildings, for the Department of Public Works and Buildings;

Director of Public Welfare, for the Department of Public Welfare;

Director of Public Health, for the Department of Public Health;

Director of Trade and Commerce, for the Department of Trade and Commerce;

Director of Registration and Education, for the Department of Registration and Education.

§ 5. In addition to the directors of departments, the following executive and administrative officers, boards and commissions, which said officers, boards and commissions in the respective departments, shall hold offices hereby created and designated as follows:

IN THE DEPARTMENT OF FINANCE:

Assistant Director of Finance;

Administrative Auditor;

Superintendent of Budget;

Superintendent of Department Reports.

IN THE DEPARTMENT OF AGRICULTURE:

Assistant Director of Agriculture;

General Manager of the State Fair;

Superintendent of Foods and Dairies;

Superintendent of Animal Industry;

Superintendent of Plant Industry;

Chief Veterinarian;

Chief Game and Fish Warden;

The Food Standard Commission, which shall consist of the Superintendent of Foods and Dairies and two officers designated as Food Standard Officers.

IN THE DEPARTMENT OF LABOR:

Assistant Director of Labor;

Chief Factory Inspector;

Superintendent of Free Employment Offices;

Chief Inspector of Private Employment Agencies;

The Industrial Commission, which shall consist of five officers designated Industrial Officers.

IN THE DEPARTMENT OF MINES AND MINERALS:

Assistant Director of Mines and Minerals;

The Mining Board, which shall consist of four officers designated as Mine Officers and the Director of the Department of Mines and Minerals;

The Miners' Examining Board, which shall consist of four officers, designated Miners' Examining Officers.

IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

Assistant Director of Public Works and Buildings;

Superintendent of Highways;

Chief Highway Engineer;

Supervising Architect;

Supervising Engineer;

Superintendent of Waterways;

Superintendent of Printing;

Superintendent of Purchases and Supplies;

Superintendent of Parks.

IN THE DEPARTMENT OF PUBLIC WELFARE:

Assistant Director of Public Welfare;

Alienist;

Criminologist;

Fiscal Supervisor;

Superintendent of Charities;

Superintendent of Prisons;

Superintendent of Pardons and Paroles.

IN THE DEPARTMENT OF PUBLIC HEALTH:

Assistant Director of Public Health;

Superintendent of Lodging House Inspection.

IN THE DEPARTMENT OF TRADE AND COMMERCE:

Assistant Director of Trade and Commerce;

Superintendent of Insurance;

Fire Marshal;

Superintendent of Standards;

Chief Grain Inspector;

The Public Utilities Commission, which shall consist of five officers designated Public Utility Commissioners;

Secretary of the Public Utilities Commission.

IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

Assistant Director of Registration and Education;

Superintendent of Registration;

The Normal School Board, which shall consist of nine officers, together with the Director of the Department and the Superintendent of Public Instruction.

The above named officers, and each of them, shall, except as otherwise provided in this Act, be under the direction, supervision and control of the director of their respective departments, and shall perform such duties as such director shall prescribe.

§ 6. Advisory and non-executive boards, in the respective departments, are created as follows:

IN THE DEPARTMENT OF AGRICULTURE:

A board of Agricultural Advisors, composed of fifteen persons, and a board of State Fair Advisors consisting of nine persons, not more than three of whom shall be appointed from any one county.

IN THE DEPARTMENT OF LABOR:

A board of Illinois Free Employment Office Advisors, composed of five persons;

A board of local Illinois Free Employment Office Advisors, for each free employment office, composed of five persons on each local board.

IN THE DEPARTMENT OF PUBLIC WORKS:

A board of Art Advisors, composed of eight persons;

A board of Water Resource Advisors, composed of five persons;

A board of Highway Advisors, composed of five persons;

A board of Parks and Buildings Advisors, composed of five persons.

IN THE DEPARTMENT OF PUBLIC WELFARE:

A board of Public Welfare Commissioners, composed of five persons.

IN THE DEPARTMENT OF PUBLIC HEALTH:

A board of Public Health Advisors, composed of five persons.

IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

A board of Natural Resources and Conservation Advisors, composed of seven persons;

A board of State Museum Advisors, composed of five persons.

The members of each of the above named boards shall be officers.

§ 7. One food standard officer shall be a representative of the Illinois food manufacturing industries and the other shall be an expert food chemist of known reputation.

The fifteen agricultural advisors shall be persons engaged in agricultural industries, not excluding representatives of the agricultural press and of the State Agricultural Experiment Station.

Of the five industrial officers, two shall be representative citizens of the employing class operating under the Workman's Compensation Act, two shall be representative citizens chosen from among the employees operating under such Act, and the other shall be a representative citizen not indentified [identified] with either the employing or employee classes.

Of the five Illinois Free Employment Office Advisors, two shall be representatives of employers, two representatives of organized labor, and one representative citizen who is neither an employer nor an employee.

The five local Illinois Free Employment Office Advisors shall have the same qualifications as the Illinois free employment office advisors.

The Director of Mines and Minerals shall be a person thoroughly conversant with the theory and practice of coal mining but who is not identified with either coal operators or coal miners. Of the four mine officers, two shall be coal operators and two shall be practical coal miners.

Each of the three miners' examining officers shall have had at least five years' practical and continuous experience as a coal miner and have been actually engaged as a coal miner in this State continuously for twelve months next preceding his appointment, and no one of whom shall hold any lucrative public office, Federal, State, or municipal.

Of the eight art commissioners, two shall be painters, two sculptors, two architects, and two neither painters, sculptors nor architects.

The director of public health shall be a person licensed to practice medicine and surgery in this State and shall have had at least five years' practical experience in the practice of medicine and surgery in this State and at least six years' practical experience in public health work.

The assistant director of public health shall be a person licensed to practice medicine and surgery in this State and shall have had at least five years' practical experience in the practice of medicine and surgery in this State and at least three years' practical experience in public health work.

No public utility commissioner or employee of the public utility commission shall be in the employ of or hold any official relation to any corporation or person subject in whole or in part to regulation by the commission nor shall he hold stocks or bonds in any such corporation or be in any other manner pecuniarily interested therein, directly or indirectly, and if any public utility commissioner or employee shall voluntarily become so interested, his office or employment shall *ipso facto* become vacant, and if any public utility commissioner or employee becomes so interested otherwise than voluntarily he shall, within a reasonable time, divest himself of such interest.

The Chief Grain Inspector shall be a person who is not interested, either directly or indirectly, in any warehouse in this State, and who is not a member of the board of trade.

Neither the Director, Assistant Director, Superintendent of Registration, nor any other executive and administrative officer in the Department of Registration and Education shall be affiliated with any college or school of medicine, pharmacy, dentistry, nursing, optometry, embalming,

barbering, veterinary medicine and surgery, architecture, or structural engineering, either as teacher, officer or stockholder, nor shall he hold a license or certificate to exercise or practice any of the professions, trades or occupations regulated.

No more than two members of the normal school board shall be residents of any one congressional district.

The board of Natural Resources and Conservation shall be composed of the Director of Registration and Education, who shall be *ex-officio* chairman thereof, the president of the University of Illinois or his representative, and one expert each in biology, geology, engineering, chemistry and forestry, qualified by ten years' experience in practicing or teaching their several professions.

The board of State Museum Advisors shall be composed of one expert each in botany, ethnology, zoology, manufacture and museum administration.

§ 8. Each advisory and non-executive board, except as otherwise expressly provided in this Act, shall, with respect to its field of work, or that of the department with which it is associated, have the following powers and duties;

1. To consider and study the entire field; to advise the executive officers of the department upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers of the department shall duly consider, and to give advice or make recommendations to the Governor and the General Assembly when so requested, or on its own initiative;

2. To investigate the conduct of the work of the department with which it may be associated, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging thereto, and to require written or oral information from any officer or employee thereof;

3. To adopt rules, not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the director of the department with which such board is associated;

4. To hold meetings at such times and places as may be prescribed by the rules, not less frequently, however, than quarterly;

5. To act by a sub-committee, or by a majority of the board, if the rules so prescribe;

6. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the director of the department;

7. To give notice to the Governor and to the director of the department with which it is associated of the time and place of every meeting, regular or special, and to permit the Governor and the director of the department to be present and to be heard upon any matter coming before such board.

§ 9. The executive and administrative officers whose offices are created by this Act shall receive annual salaries, payable in equal monthly installments, as follows:

IN THE DEPARTMENT OF FINANCE:

The Director of Finance shall receive seven thousand dollars;
The Assistant Director of Finance shall receive forty-two hundred dollars;
The Administrative Auditor shall receive forty-eight hundred dollars;
The Superintendent of Budget shall receive three thousand six hundred dollars;
The Superintendent of Department Reports shall receive thirty-six hundred dollars;

IN THE DEPARTMENT OF AGRICULTURE:

The Director of Agriculture shall receive six thousand dollars;
The Assistant Director of Agriculture shall receive thirty-six hundred dollars;
The General Manager of the State fair shall receive thirty-six hundred dollars;
The Superintendent of Foods and Dairies shall receive forty-eight hundred dollars;
The Superintendent of Animal Industry shall receive thirty-six hundred dollars;
The Superintendent of Plant Industry shall receive thirty-six hundred dollars;
The Chief Veterinarian shall receive forty-two hundred dollars;
The Chief Game and Fish Warden shall receive three thousand six hundred dollars;
Each food standard officer shall receive four hundred and fifty dollars.

IN THE DEPARTMENT OF LABOR:

The Director of Labor shall receive five thousand dollars;
The Assistant Director of Labor shall receive three thousand dollars;
The Chief Factory Inspector shall receive three thousand dollars;
The Superintendent of Free Employment Offices shall receive three thousand dollars;
The Chief Inspector of Private Employment Agencies shall receive three thousand dollars;
Each industrial officer shall receive five thousand dollars.

IN THE DEPARTMENT OF MINES AND MINERALS:

The Director of Mines and Minerals shall receive five thousand dollars;
The Assistant Director of Mines and Minerals shall receive three thousand dollars;
Each mine officer shall receive five hundred dollars;
Each miners' examining officer shall receive one thousand eight hundred dollars.

IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

The Director of Public Works and Buildings shall receive seven thousand dollars;
The Assistant Director of Public Works and Buildings shall receive four thousand dollars;
The Superintendent of Highways shall receive five thousand dollars;
The Chief Highway Engineer shall receive five thousand dollars;
The Supervising Architect shall receive four thousand dollars;
The Supervising Engineer shall receive four thousand dollars;
The Superintendent of Waterways shall receive five thousand dollars;
The Superintendent of Printing shall receive five thousand dollars;
The Superintendent of Purchases and Supplies shall receive five thousand dollars;
The Superintendent of Parks shall receive twenty-five hundred dollars.

IN THE DEPARTMENT OF PUBLIC WELFARE:

The Director of Public Welfare shall receive seven thousand dollars;
The Assistant Director of Public Welfare shall receive four thousand dollars;
The Alienist shall receive five thousand dollars;
The Criminologist shall receive five thousand dollars;
The Fiscal Supervisor shall receive five thousand dollars;
The Superintendent of Charities shall receive five thousand dollars;
The Superintendent of Prisons shall receive five thousand dollars;
The Superintendent of Pardons and Paroles shall receive five thousand dollars.

IN THE DEPARTMENT OF PUBLIC HEALTH:

The Director of Public Health shall receive six thousand dollars;
The Assistant Director of Public Health shall receive three thousand six hundred dollars;
The Superintendent of Lodging House Inspection three thousand dollars.

IN THE DEPARTMENT OF TRADE AND COMMERCE:

The Director of Trade and Commerce shall receive seven thousand dollars;
The Assistant Director of Trade and Commerce shall receive four thousand dollars;
The Superintendent of Insurance shall receive five thousand dollars;
The Fire Marshal shall receive three thousand dollars;
The Superintendent of Standards shall receive twenty-five hundred dollars;
The Chief Grain Inspector shall receive five thousand dollars;
Each Public Utility Commissioner shall receive seven thousand dollars;

The Secretary of the Public Utilities Commission shall receive four thousand dollars.

IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

The Director of Registration and Education shall receive five thousand dollars;

The Assistant Director of Registration and Education shall receive three thousand six hundred dollars; .

The Superintendent of Registration shall receive four thousand two hundred dollars.

§ 10. No member of an advisory and non-executive board shall receive any compensation.

§ 11. Each executive and administrative officer, except the two food standard officers, the members of the Mining board, and the members of the Normal School board shall devote his entire time to the duties of his office and shall hold no other office or position of profit.

§ 12. Each officer whose office is created by this Act shall be appointed by the Governor, by and with the advice and consent of the Senate. In any case of vacancy in such offices during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make a temporary appointment as in case of a vacancy.

§ 13. Each officer whose office is created by this Act, except as otherwise specifically provided for in this Act, shall hold office for a term of four years from the second Monday in January next after the election of a Governor, and until his successor is appointed and qualified.

Three members of the Normal School board first appointed shall hold office until the second Monday in January, A. D. 1919, three until the second Monday in January, A. D. 1921, and three until the second Monday in January, A. D. 1923. After the expiration of the terms of office of those first appointed, their respective successors shall hold office for a term of six years.

§ 14. Each officer whose office is created by this Act shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office, which shall be filed in the office of the Secretary of State.

§ 15. Each executive and administrative officer whose office is created by this Act shall, before entering upon the discharge of the duties of his office, give bond, with security to be approved by the Governor, in such penal sum as shall be fixed by the Governor, not less in any case than ten thousand dollars, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State.

§ 16. The director of each department is empowered to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its employees and clerks, the distribution and per-

formance of its business and the custody, use and preservation of the records, papers, books, documents, and property pertaining thereto.

§ 17. Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the Secretary of State. The director of each department may, in his discretion and with the approval of the Governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

§ 18. Each department shall be open for the transaction of public business at least from eighty-thirty o'clock in the morning until five o'clock in the evening of each day except Sundays and days declared by the negotiable instrument Act to be holidays.

§ 19. Each department shall adopt and keep an official seal.

§ 20. Each department is empowered to employ, subject to civil service laws in force at the time the employment is made, necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation.

§ 21. All employees in the several departments shall render not less than seven and one-half hours of labor each day, Saturday afternoons, Sundays and days declared by the negotiable instrument Act to be holidays excepted in cases in which, in the judgment of the director, the public service will not thereby be impaired.

§ 22. Each employee in the several departments shall be entitled during each calendar year to fourteen days' leave of absence with full pay. In special and meritorious cases where to limit the annual leave to fourteen days in any one calendar year would work peculiar hardship, it may, in the discretion of the director of the department, be extended.

§ 23. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.

§ 24. Nothing in this Act shall be construed to amend, modify, or repeal the State civil service law, or to extend the application thereof to any position created by this act where the duties to be performed under such position do not now exist or are now performed by an officer or employee not in the classified civil service of the State. Every officer and employee in the classified civil service at the time this Act takes effect shall be assigned to a position in the proper department created by this Act, having, so far as possible, duties equivalent to his former office or employment, and such officers and employees shall be employees of the State in the classified civil service of the State, of the same standing, grade and privileges which they respectively had in the office, board, commission or institution from which they were transferred, subject, however, to existing and future civil service laws. This section shall not be construed to require the retention of more employees than are necessary to the proper performance of the functions of the departments.

§ 25. Each director of a department shall annually on or before the first day of December, and at such other times as the Governor may require, report in writing to the Governor concerning the condition, management and financial transactions of their respective departments. In addition to such reports, each director of a department shall make

the semi-annual and biennial reports provided by the Constitution. The departments shall make annual and biennial reports at the time prescribed in this section, and at no other time.

§ 26. The directors of departments shall devise a practical and working basis for co-operation and co-ordination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, co-operate with each other in the employment of services and the use of quarters and equipment. The director of any department may empower or require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty which he might require of his own subordinates.

§ 27. The gross amount of money received by every department, from whatever source, belonging to or for the use of the State, shall be paid into the State treasury, without delay, not later in any event than ten days after the receipt of the same, without any deduction on account of salaries, fees, costs, charges, expenses or claim of any description whatever. No money belonging to, or for the use of, the State shall be expended or applied by any department except in consequence of an appropriation made by law and upon the warrant of the Auditor of Public Accounts.

§ 28. In the construction of buildings for the various departments, or in doing other construction work in or about buildings and grounds, exceeding the estimated value of one thousand dollars, contracts therefor shall be let to the lowest responsible bidder. Supplies for the several departments, except in cases of emergency and in the case of perishable goods, shall be purchased in large quantities and contracts therefor shall be let to the lowest responsible bidder. Advertisements for bids for doing such construction work, or furnishing such supplies, shall be published for at least three days, the first and last of which publications shall be at least ten days apart, in one or more newspapers of general circulation published in each of the seven largest cities of the State determined by the then last preceding Federal census, and, also, in one secular English newspaper selected by the Department of Public Works and Buildings by competitive bidding in the same manner as it is herein provided other contracts may be let and designated as an "official newspaper," which newspaper so selected shall continue to be the official newspaper for a period of one year from the time of its selection. The proposals shall be publicly opened on the day and hour and at the place mentioned in the advertisement and any and all bids may be rejected and when rejected a re-advertisement shall be made in the manner above provided.

§ 29. All supplies of fuel purchased for the departments shall be let by contract to the lowest responsible bidder. Advertisements for bids shall be published for at least ten days in one or more of the daily newspapers of general circulation published in each of the seven largest cities of the State, determined by the then last preceding Federal census. The officer authorized by law to make contracts for fuel shall prescribe rules and regulations to be observed in the preparation, submission and opening of bids. All contracts for fuel shall be made subject to the approval of the Governor.

§ 30. The price paid for fuel shall not exceed the following:

For anthracite coal, twelve dollars per ton;

For Pennsylvania bituminous, Pocahontas and West Virginia smokeless, eastern Kentucky and Ohio coals, all of the bituminous type, nine dollars per ton;

For Illinois, Indiana, western Kentucky, Missouri and Iowa coals, all of the bituminous type, seven dollars per ton;

For any other coal of the bituminous type, seven dollars per ton.

§ 31. Whenever in this Act power is vested in a department to inspect, examine, secure data or information, or to procure assistance from another department, a duty is hereby imposed upon the department upon which demand is made, to make such power effective.

§ 32. Whenever rights, powers and duties, which have heretofore been vested in or exercised by any officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof, are, by this Act, transferred, either in whole or in part, to or vested in a department created by this Act, such rights, powers and duties shall be vested in, and shall be exercised by, the department to which the same are hereby transferred, and not otherwise, and every act done in the exercise of such rights, powers and duties shall have the same legal effect as if done by the former officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof. Every person and corporation shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties were exercised by the officer, board, commission, department or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this Act. Every person and corporation shall be subject to the same penalty or penalties, civil or criminal, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in, the exercise of such right, power or duty by the officer, board, commission, or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this Act. Every officer and employee shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer or employee whose powers or duties devolved upon him under this Act. All books, records, papers, documents, property, real and personal, unexpended appropriations, and pending business in any way pertaining to the rights, powers and duties so transferred to or vested in a department created by this Act, shall be delivered and transferred to the department succeeding to such rights, powers and duties.

§ 33. Wherever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon any officer, board, commission, or institution, or deputy, inspector or subordinate thereof, abolished by this Act, the same shall be made, given, furnished, or served in the same manner to or upon the depart-

ment upon which are devolved by this Act the rights, powers and duties now exercised or discharged by such officer, board, commission, or institution, or deputy, inspector or subordinate thereof; and every penalty for failure so to do shall continue in effect.

§ 34. This Act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this Act takes effect: but such actions or proceedings may be prosecuted and continued by the department having jurisdiction, under this Act, of the subject matter to which such litigation or proceeding pertains.

§ 35. The following offices, boards, commissions, arms, and agencies of the State government heretofore created by law, are hereby abolished, viz: superintendent of printing, board of live stock commissioners, secretary of the board of live stock commissioners, State veterinarian, board of veterinary examiners, stallion registration board, secretary of the stallion registration board, board of examiners of horseshoers, secretary of the board of examiners of horseshoers, State inspector of apiaries, State game and fish commission, game and fish wardens, deputy game and fish wardens, advisory board of managers of free employment offices, local boards of managers of free employment offices, general superintendent of free employment offices in each city having a population of one million or over, department superintendent of free employment offices in each city having a population of one million or over, assistant department superintendents of free employment offices in each city having a population of one million or over, clerks of free employment offices in free employment offices in each city having a population of one million or over, superintendent of free employment offices in cities of less than one million population, assistant superintendents of free employment offices in cities of less than one million population, clerks of free employment offices in cities of less than one million population, chief inspector of private employment agencies, assistant inspectors of private employment agencies, chief State factory inspector, assistant chief factory inspector, physician for chief State factory inspector, deputy factory inspectors, State board of arbitration and conciliation, secretary of the State board of arbitration and conciliation, the industrial board, secretary of the industrial board, State mining board, chief clerk of the State mining board, State mine inspectors, miners' examining commissioners, constituting the miners' examining board, mine fire fighting and rescue station commission, superintendents of mine fire fighting and rescue stations, assistant superintendents of mine fire fighting and rescue stations, State highway department, the State highway commission, chief State highway engineer, assistant State highway engineer, the canal commissioners, rivers and lakes commission, Illinois waterway commission, Illinois park commission, Fort Massac trustees [trustees], Lincoln homestead trustees, board of commissioners of and for the Lincoln monument grounds, State board of examiners of architects, State board of examiners of structural engineers, secretary of the State board of examiners of structural engineers, secretary-treasurer of the State board of examiners of architects, State inspector of masonry, public buildings and works, assistant State inspectors of masonry, public buildings and works, the

board of administration, State deportation agent, assistant State deportation agent, State agent for visitation of children placed in family homes, commissioners of the Illinois State penitentiary, warden of the Illinois State penitentiary, deputy warden of the Illinois State penitentiary, chaplains of the Illinois State penitentiary, physician of the Illinois State penitentiary, steward of the Illinois State penitentiary, matron of the Illinois State penitentiary, the commissioners of the southern Illinois penitentiary, warden of the southern Illinois penitentiary, deputy warden of the southern Illinois penitentiary, chaplains of the southern Illinois penitentiary, physician of the southern Illinois penitentiary, steward of the southern Illinois penitentiary, matron of the southern Illinois penitentiary, board of managers of Illinois State reformatory, general superintendent of the Illinois State reformatory, chaplain of the Illinois State reformatory, physician of the Illinois State reformatory, the board of prison industries of Illinois, the board of classification, board of pardons, clerk of the board of pardons, stenographer of the board of pardons, State board of health, secretary and executive officer of the State board of health, board of pharmacy, secretary of the board of pharmacy, Illinois State board of dental examiners, secretary of the Illinois State board of dental examiners, Illinois State board of nurse examiners, secretary of the Illinois State board of nurse examiners, State board of optometry, secretary of the State board of optometry, board of barber examiners, secretary and treasurer of the board of barber examiners, State food commissioner, assistant State food commissioner, State analyst, chief clerk of the State food commissioner, assistant clerk of the State food commissioner, stenographers of the State food commissioner, inspectors of the State food commissioner, bacteriologist of the State food commissioner, analytical chemists of the State food commissioner, laboratory janitor for the food commissioner, food standard commission, State public utilities commission, secretary of the State public utilities commission, chief inspector of grain, deputy grain inspectors, deputy chief inspector of grain of the East St. Louis district, warehouse registrar, assistant warehouse registrars, State weighmasters, registrar of the grain inspection department, inspectors of automatic couplers, power brakes and grab irons or hand holds on railroad locomotives, tenders, cars and similar vehicles, insurance superintendent, State fire marshal, first deputy State fire marshal, second deputy State fire marshal, chief deputy fire marshal, deputy State fire marshals, assistant fire marshals, the board of education of the State of Illinois, board of trustees of the Southern Illinois Normal University, board of trustees of the Northern Illinois State Normal School, board of trustees of the Eastern Illinois State Normal School, and the board of trustees of the Western Illinois State Normal School.

THE DEPARTMENT OF FINANCE.

§ 36. The Department of Finance shall have power:

1. To prescribe and require the installation of a uniform system of bookkeeping, accounting and reporting for the several departments;

2. To prescribe forms for accounts and financial reports and statements for the several departments;

3. To supervise and examine the accounts and expenditures of the several departments;

4. To examine, at any and all times, into the accuracy and legality of the accounts, receipts and expenditures of the public moneys and the disposition and use of the public property by the several departments;

5. To keep such summary and controlling accounts as may be necessary to determine the accuracy of the detail accounts and reports from the several departments, and to prescribe the manner and method of certifying that funds are available and adequate to meet all contracts and obligations;

6. To prescribe uniform rules governing specifications for purchases of supplies, the advertisement for proposals, the opening of bids and the making of awards, to keep a catalogue of prices current and to analyze and tabulate prices paid and quantities purchased;

7. To examine, at any and all times, the accounts of every private corporation, institution, association or board receiving appropriations from the General Assembly;

8. To report to the Attorney General for such action, civil or criminal, as the Attorney General may deem necessary, all facts showing illegal expenditures of the public money or misappropriation of the public property;

9. To examine and approve, or disapprove, vouchers, bills and claims of the several departments, and such as are by law made subject to the approval of the Governor and referred to it by the Governor, and no voucher, bill or claim of any department shall be allowed without its approval and certificate;

10. To prescribe the form of receipt, voucher, bill or claim to be filed by the several departments with it;

11. In settling the accounts of the several departments, to inquire into and make an inspection of articles and materials furnished or work and labor performed, for the purpose of ascertaining that the prices, quality and amount of such articles or labor are fair, just and reasonable, and that all the requirements, express and implied, pertaining thereto have been complied with, and to reject and disallow any excess;

12. To prepare and report to the Governor, when requested, estimates of the income and revenues of the State;

13. To prepare and submit to the Governor biennially, not later than the first day of January preceding the convening of the General Assembly, a State budget;

14. To publish, from time to time, for the information of the several departments and of the general public, bulletins of the work of the government;

15. To investigate duplication of work of departments and the efficiency of the organization and administration of departments, and to formulate plans for the better coordination of departments.

§ 37. In the preparation of a State budget, the Director of Finance shall, not later than the fifteenth day of September in the year preceding

the convening of the General Assembly, distribute to all departments and to all offices and institutions of the State government (including the elective officers in the executive department and including the University of Illinois and the judicial department) the proper blanks necessary to the preparation of budget estimates, which blanks shall be in such form as shall be prescribed by the Director of Finance, to procure, among other things, information as to the revenues and expenditures for the two preceding fiscal years, the appropriations made by the previous General Assembly, the expenditures therefrom, encumbrances thereon, and the amounts unencumbered and unexpended, an estimate of the revenues and expenditures of the current fiscal year, and an estimate of the revenues and amounts needed for the respective departments and offices for the two years next succeeding beginning at the expiration of the first fiscal quarter after the adjournment of the General Assembly. Each department, office and institution (including the elective officers in the executive and judicial departments and including the University of Illinois) shall, not later than the first day of November, file in the office of the Director of Finance its estimate of receipts and expenditures for the succeeding biennium. Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of expenditure requested. The Director of Finance may, in his discretion, make further inquiries and investigations as to any item desired [desired]. He may approve, disapprove or alter the estimates. He shall, on or before the first day of January preceding the convening of the General Assembly, submit to the Governor in writing his estimates of revenues and appropriations for the next succeeding biennium.

§ 38. The Governor shall as soon as possible and not later than four weeks after the organization of the General Assembly submit a State budget, embracing therein the amounts recommended by him to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation. Together with such budget, the Governor shall transmit the estimates of receipts and expenditures, as received by the Director of Finance, of the elective officers in the executive and judicial departments and of the University of Illinois.

§ 39. Each department shall, before an appropriation to such department becomes available for expenditure, prepare and submit to the department of finance an estimate of the amount required for each activity to be carried on, and accounts shall be kept and reports rendered showing the expenditures for each such purpose.

THE DEPARTMENT OF AGRICULTURE.

§ 40. The Department of Agriculture shall have power:

1. To exercise the rights, powers and duties vested by law in the board of Live Stock Commissioners, its officers and employees, except under the Act regulating the practice of veterinary medicine and surgery;
2. To exercise the rights, powers and duties vested by law in the State veterinarian, his assistants and employees;

3. To exercise the rights, powers and duties vested by law in the stallion registration board, its officers and employees;

4. To exercise the rights, powers and duties vested by law in the State inspector of apiaries, his assistants and employees;

5. To exercise the rights, powers and duties vested by law in the State game and fish commission, its wardens, deputy wardens, officers and employees;

6. To exercise the rights, powers and duties vested by law in the State food commissioner, food standard commission, and the other officers and employees of the State food department;

7. To exercise the rights, powers and duties vested by law in the State entomologist, his officers and employees;

8. To execute and administer the act to prevent fraud in the manufacture and sale of commercial fertilizers;

9. To encourage and promote, in every practicable manner, the interests of agriculture, including horticulture, the live stock industry, dairying, cheese making, poultry, bee keeping, forestry, fishing, the production of wool, and all other allied industries;

10. To promote improved methods of conducting these several industries with a view to increasing the production and facilitate the distribution thereof at the least cost;

11. To collect and publish statistics relating to crop production and marketing, the production of and marketing beef, pork, poultry, fish, mutton, wool, butter, cheese and other agricultural products so far as such statistical information may be of value to the agricultural and allied interests of the State;

12. To encourage the planting of trees and shrubs and the improvement of farm homes generally;

13. To produce and manufacture biological products to be distributed to live stock producers at the actual cost thereof;

14. To inquire into the causes of contagious, infectious and communicable diseases among domestic animals, and the means for the prevention and cure of the same;

15. To take all measures necessary for the preservation, distribution, introduction and restoration of fish, game birds and other wild birds;

16. To be the custodian of the State fair grounds, buildings and other property belonging or attached thereto, and to maintain the same;

17. To hold annually a State fair in order to promote improved methods of agriculture, to encourage an increased yield of grains, grasses, fruits, vegetables and other crops and the raising of improved breeds of live stock and poultry, to acquaint farmers with the latest implements and machinery of agriculture, and to encourage the manufacture of butter, cheese and other products of agriculture;

18. To adopt and promulgate rules and regulations governing the holding of the State fair, which rules and regulations shall prescribe the kinds and classes of exhibits, the conditions under which they shall be received, installed and cared for, the conditions under which racing shall be permitted in the fair grounds and the rules governing the same,

the premiums to be offered and paid, the price of admission which shall be charged in all cases except for exhibitors and their *bona fide* employees, all honorably discharged soldiers and sailors of the War of the Rebellion, the Spanish-American War, the Philippine insurrection, and the Boxer uprising in China, and for children under five years of age, the methods by which judges of exhibits may be employed, and the manner certificates of award shall be prepared and premiums paid;

19. To police the State fair grounds, to maintain and preserve order thereon, and protect exhibits from theft, injury or destruction;

20. To assist, encourage and promote the organization of farmers' institutes, horticultural and agricultural societies, the holding of fairs, fat stock shows or other exhibits of the products of agriculture;

21. To investigate and ascertain that moneys appropriated for county fairs and farmers' institutes are faithfully applied to the purposes authorized by law;

22. To see that live stock at stock yards, breweries, distilleries and other like places where live stock are confined, housed or fed, are properly cared for.

§ 41. The Director of Agriculture shall promulgate no standard of quality, purity and strength of food products for this State except that determined by the food standard commission.

§ 42. The people of the State of Illinois shall succeed to all the right, title and interest of the State Board of Agriculture in and to the State fair grounds, and to all lands, buildings, money, unexpended appropriations or other property connected therewith.

THE DEPARTMENT OF LABOR.

§ 43. The Department of Labor shall have power:

1. To exercise the rights, powers and duties vested by law in the commissioners of labor, the secretary, other officers and employees of said commissioners of labor;

2. To exercise the rights, powers and duties vested by law in the superintendents and assistant superintendents of free employment offices, general advisory board of free employment offices, local advisory boards of free employment offices, and other officers and employees of free employment offices;

3. To exercise the rights, powers and duties vested by law in the chief inspector of private employment agencies, inspectors of private employment agencies, their subordinate officers and employees;

4. To exercise the rights, powers and duties vested by law in the chief factory inspector, assistant chief factory inspector, deputy factory inspector, and all other officers and employees of the State factory inspection service;

5. To exercise the rights, powers and duties vested by law in the State Board of Arbitration and Conciliation, its officers and employees;

6. To exercise the rights, powers and duties vested by law in the industrial board, its officers and employees;

7. To foster, promote and develop the welfare of wage earners;

8. To improve working conditions;

9. To advance opportunities for profitable employment;
10. To collect, collate, assort, systematize and report statistical details relating to all departments of labor, especially in its relation to commercial, industrial, social, educational and sanitary conditions, and to the permanent prosperity of the manufacturing and productive industries;
11. To collect, collate, assort, systematize and report statistical details of the manufacturing industries and commerce of the State;
12. To acquire and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of that word;
13. To acquire and diffuse among the people useful information concerning the means of promoting the material, social, intellectual and moral prosperity of laboring men and women;
14. To acquire information and report upon the general condition, so far as production is concerned, of the leading industries of the State;
15. To acquire and diffuse information as to the conditions of employment, and such other facts as may be deemed of value to the industrial interests of the State;
16. To acquire and diffuse information in relation to the prevention of accidents, occupational diseases and other related subjects.

§ 44. The Department of Labor shall exercise and discharge the rights, powers and duties vested by law in the industrial board under an Act entitled, "An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment in this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment,' approved June 10, 1911, in force May 1, 1912," approved June 28, 1913, in force July 1, 1913, or any future amendments thereto or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the industrial commission created by this Act, and in its name, without any direction, supervision, or control by the Director of Labor.

The Industrial Commission shall also, in its name and without any direction, supervision or control by the director, administer the arbitration and conciliation Act.

THE DEPARTMENT OF MINES AND MINERALS.

§ 45. The Department of Mines and Minerals shall have power:

1. To exercise the rights, powers and duties vested by law in the State mining board, its officers and employees;
2. To exercise the rights, powers and duties vested by law in the State mine inspectors;
3. To exercise the rights, powers and duties vested by law in the miners' examining commission, its officers and employees;
4. To exercise the rights, powers and duties vested by law in the mine fire fighting and rescue station commission, superintendents and

assistant superintendents, other officers and employees of the several mine rescue stations;

5. To acquire and diffuse information concerning the nature, causes and prevention of mine accidents;

6. To acquire and diffuse information concerning the improvement of methods, conditions and equipment of mines, with special reference to health, safety and conservation of mineral resources;

7. To make inquiries into the economic conditions affecting the mining, quarrying, metallurgical, clay, oil and other mineral industries;

8. To promote the technical efficiency of all persons working in and about the mines of the State, and to assist them better to overcome the increasing difficulties of mining, and for that purpose to provide bulletins, traveling libraries, lectures, correspondence work, classes for systematic instruction, or meetings for the reading and discussion of papers, and to that end to cooperate with the University of Illinois.

§ 46. The mining board, in the Department of Mines and Minerals, shall:

1. Hold such meetings, from time to time, as may be necessary for the proper discharge of its duties;

2. Conduct the examination and pass upon the practical and technological qualifications and personal fitness of all persons employed in the department of mines and minerals as inspectors of mines;

3. Conduct examinations and pass upon the practical and technological qualifications and personal fitness of persons seeking certificates of competency as mine managers, mine examiners and hoisting engineers;

4. Conduct examinations, at the capitol, on the second Tuesday in September of each year and at such other times as may be necessary, of candidates for employment as inspectors of mines;

5. Conduct examinations of persons seeking certificates of competency as mine managers, mine examiners and hoisting engineers, at such times and places within the State as shall, in the judgment of the board, afford the best facilities to the greatest number of candidates;

6. Give public notice, through the public press, or otherwise, not less than ten days in advance, announcing the time and place at which any examination is to be held;

7. Prescribe uniform rules, conditions and regulations for the examination of persons seeking employment as inspectors of mines and of those seeking certificates of competency as mine managers, mine examiners and hoisting engineers;

8. Report in writing to the Director of Mines and Minerals the names of persons qualified to be employed by the department of mines and minerals as inspectors of mines, and of those authorized to receive certificates of competency as mine managers, mine examiners and hoisting engineers;

9. Supervise, control and direct the State mine inspection service;

10. Have power to remove any inspector of mines or to cancel the certificate of any mine manager, mine examiner or hoisting engineer, as provided in paragraphs (h) and (i) of section 3 of an Act entitled,

"An Act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved June 6, 1911, in force July 1, 1911, and all amendments thereto, past or future, or modifications thereof;

11. Preserve and keep on file, for not less than one year, all written examination papers and all other papers of any applicant, and to permit the inspection thereof by any applicant interested, at all reasonable times, and to give to any applicant a certified copy of any or all of his papers.

§ 47. The Director of Mines and Minerals shall be the executive officer of the mining board and shall execute the orders, rules and regulations made and promulgated by the mining board, and shall issue, in the name of the department of mines and minerals, certificates of qualification and competency to persons certified to him by the mining board, and to no other persons.

§ 48. The Department of Mines and Minerals shall exercise and discharge the rights, powers and duties vested by law in the miners' examining commissioners, constituting the miners' examining board for the State of Illinois, under an act entitled, "An Act to provide for the safety to persons employed in and about coal mines, and to provide for the examination of persons seeking employment therein, in order that only competent persons may be employed as miners, and to create a board of examiners for this purpose, and to provide a penalty for the violation of the same, and to repeal an Act entitled, 'An Act to amend an Act entitled, "An Act to provide for the safety of persons employed in and about coal mines and to provide for the examination of persons seeking employment as coal miners, and providing penalties for the violation of the same," approved June 1, 1908, in force July 1, 1908,' approved June 5, 1909, in force July 1, 1909," approved June 27, 1913, in force July 1, 1913, and all amendments thereto, past or future, or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the miners' examining board created by this Act, and in its name, without any direction, supervision or control by the Director of Mines and Minerals, or by the mining board.

THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS.

§ 49. The Department of Public Works and Buildings shall have power:

1. To exercise the rights, powers and duties vested by law in the State highway department, the State highway commission, the chief State highway engineer, the assistant State highway engineer, and other officers and employees of the State highway service;

2. To exercise the rights, powers and duties vested by law in "The Canal Commissioners," their officers and employees;

3. To exercise the rights, powers and duties vested by law in the rivers and lakes commission of Illinois, its officers and employees;

4. To exercise the rights, powers and duties vested by law in the Illinois waterway commission, its secretary, chief engineers, its other officers and employees;

5. To exercise the rights, powers and duties vested by law in the Illinois park commission, its officers and employees;

6. To exercise the rights, powers and duties vested by law in the Fort Massac trustees, their officers and employees;

7. To exercise the rights, powers and duties vested by law in the Lincoln homestead trustees, their officers and employees;

8. To exercise the rights, powers and duties vested by law in the board of commissioners of and for the Lincoln monument grounds, its officers and employees;

9. To exercise the rights, powers and duties vested by law in the superintendent of printing, his officers and employees;

10. To make contracts for and superintend the telegraph and telephone service for the several departments;

11. To purchase and supply all fuel, light, water and other like office and building services for the several departments except where the same are now supplied by the Secretary of State;

12. To procure and supply all furniture, general office equipment and general office supplies (other than stationery and office supplies distributed through the office of the Secretary of State) needed by the several departments;

13. To procure and supply all clothing, instruments and apparatus, subsistence and provisions for the charitable, penal and reformatory institutions;

14. To procure and supply all cots, beds, bedding, general room and cell equipment, table, kitchen and laundry equipment, agricultural implements, harness, stable and garage supplies, household supplies, periodicals, machinery and tools, medicines and medical supplies, plumbing, light and engine supplies, wagons and other vehicles and workshop supplies needed by the several departments;

14a. To purchase and supply all necessary tools, machinery, supplies and materials to be used by the State in or about constructing or maintaining State highways;

15. To prepare, or cause to be prepared, general plans, preliminary sketches and estimates for the public buildings to be erected for any department;

16. To have general supervision over the erection and construction of public buildings erected for any department, and over the inspection of all materials previous to their incorporation into such buildings or work;

17. To make contracts for, and supervise the construction and repair of buildings under the control of any department;

18. To prepare and suggest comprehensive plans for the development of grounds and buildings under the control of any department;

19. To make and provide all drawings, plans, specifications and models for the construction and perfection of all systems of sewerage,

drainage and plumbing for the State in connection with the buildings and grounds under the control of any department;

20. To erect, supervise and maintain all public monuments and memorials erected by the State except where the supervision and maintenance thereof is otherwise provided by law;

21. To lease, for a term not exceeding two years, storage accommodations for the several departments;

22. To lease, for a term not exceeding two years, unproductive and unused lands or other property under the control of any department, unless longer leases thereof are expressly authorized by some law enforced by the department;

23. To lease, for a term not exceeding two years, office space in buildings for the use of the several departments;

24. To have general supervision and care of storerooms and offices leased for the use of the departments.

§ 50. The advisory and non-executive boards in the department of public works shall discharge the following advisory powers and functions:

The board of art advisors shall advise relative to the artistic character of State buildings, works and monuments, now or hereafter constructed, and to any work of a permanent character intended for decoration or commemoration;

The board of water resource advisors shall advise relative to riparian rights of the State, and the conservation, use and development of water resources;

The board of highway advisors shall advise relative to the construction, improvement and maintenance of State highways;

The board of parks and buildings advisors shall advise relative to the construction, improvement and maintenance of State parks, buildings and monuments.

§ 51. The Director of Public Works is authorized, with the consent in writing of the Governor, to acquire, by private purchase or by condemnation under the eminent domain Act, the necessary lands for the public buildings and grounds for the departments.

§ 52. All moneys received by the Director of Public Works from rents, leases, sale of property or from any other source in connection with the management of the Illinois and Michigan Canal shall be covered into the State treasury, and shall be placed by the State Treasurer to the credit of a special fund to be known as the "Illinois and Michigan Canal fund."

THE DEPARTMENT OF PUBLIC WELFARE.

§ 53. The Department of Public Welfare shall have power:

1. To exercise the rights, powers and duties vested by law in the board of administration, the fiscal supervisor, and other officers and employees of the board of administration;

2. To exercise the rights, powers and duties vested by law in the State deportation agent, his assistants, other officers and employees;

3. To exercise the rights, powers and duties vested by law in the State agent for the visitation of children, his assistants, other officers and employees;

4. To exercise the rights, powers and duties vested by law in the commissioners, warden, deputy wardens, chaplains, physicians, stewards, matrons, turnkeys, watchmen, and all other officers and employees of the Illinois State penitentiary at Joliet;

5. To exercise the rights, powers and duties vested by law in the commissioners, warden, deputy warden, chaplain, physician, steward, matron, turnkeys, watchmen, and all other officers and employees of the Southern Illinois penitentiary;

6. To exercise the rights, powers and duties vested by law in the board of managers of the Illinois State reformatory, its superintendent, chaplain, physician and all other officers and employees;

7. To exercise the rights, powers and duties vested by law in the board of prison industries of Illinois, its officers and employees;

8. To exercise the rights, powers and duties vested by law in the board of prison industries of Illinois, the president of the State Board of Public Charities, and the Auditor of Public Accounts of Illinois, constituting a board known as the board of classification, its officers and employees;

9. To exercise the rights, powers and duties vested by law in the board of pardons, its secretary and other officers and employees.

§ 54. The board of public welfare commissioners shall, in addition to the power vested by this Act in advisory and non-executive boards, have power, and it shall be its duty:

1. To investigate into the condition and management of the whole system of charitable, penal and reformatory institutions of the State, including State hospitals, penitentiaries, reformatories, jails and almshouses;

2. To investigate, when directed by the Governor, into any or all phases of the equipment, management or policy of any State charitable, penal or reformatory institution, and report its findings and recommendations to the Governor;

3. To inquire into the equipment, management and policies of all institutions and organizations coming under the supervision and inspection of the Department of Public Welfare;

4. To collect and publish annually statistics relating to insanity and crime.

THE DEPARTMENT OF PUBLIC HEALTH.

§ 55. The Department of Public Health shall have power:

1. To exercise the rights, powers and duties vested by law in the State Board of Health, its secretary and executive officer, other officers and employees, except the rights, powers and duties vested by law in the State Board of Health under the Act to regulate the practice of medicine and the Act to regulate the practice of embalming;

2. To have the general supervision of the interests of the health and lives of the people of the State;

3. To act in advisory capacity relative to public water supplies, water purification works, sewerage system, and sewage treatment works, and to exercise supervision over nuisances growing out of the operation of such water and sewage works, and to make, promulgate and enforce rules and regulations relating to such nuisances;

4. To make such sanitary investigations as it may, from time to time, deem necessary for the preservation and improvement of public health;

5. To make examinations into nuisances and questions affecting the security of life and health in any locality in the State;

6. To maintain chemical, bacteriological and biological laboratories, to make examinations of milk, water, sewage, wastes, and other substances, and to make such diagnosis of diseases as may be deemed necessary for the protection of the people of the State;

7. To purchase and distribute free of charge to citizens of the State diphtheria antitoxin, typhoid vaccine, smallpox vaccine and other sera, vaccines and prophylactics such as are of recognized efficiency in the prevention and treatment of communicable diseases;

8. To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the promotion of health or to the security of life in this State;

9. To make investigations and inquiries with respect to the causes of disease, especially epidemics, and to investigate the causes of mortality and the effect of localities, and other conditions upon the public health, and to make such other sanitary investigations as it may deem necessary for the preservation and improvement of the public health;

10. To keep informed of the work of local health officers and agencies throughout the State;

11. To promote the information of the general public in all matters pertaining to public health;

12. To supervise, aid, direct and assist local health authorities or agencies in the administration of the health laws;

13. To enlist the cooperation of organizations of physicians and other agencies for the promotion of the public health in the improvement of health and sanitary conditions throughout the State;

14. To make sanitary, sewage, health and other inspections and examinations for the charitable, penal and reformatory institutions and the normal schools;

15. To inspect, from time to time, all hospitals, sanitarium, and other institutions conducted by county, city, village or township authorities, and to report as to the sanitary conditions and needs of such hospitals, sanitarium and institutions to the official authority having jurisdiction over them;

16. To print, publish and distribute documents, reports, bulletins, certificates and other matter relating to the prevention of diseases and the health and sanitary condition of the State.

THE DEPARTMENT OF TRADE AND COMMERCE.

§ 56. The Department of Trade and Commerce shall have power :

1. To exercise through the Public Utilities Commission created by this Act all the rights, powers and duties vested by law in the State Public Utilities Commission, its officers and employees;

2. To exercise the rights, powers and duties vested by law in the insurance superintendent, his officers and employees;

3. To exercise the rights, powers and duties vested by law in the chief inspector of grain, deputy grain inspectors, deputy chief grain inspector, and the warehouse registrar, the assistant warehouse registrars, State weighmasters, assistant State weighmasters, and other officers and employees of the grain inspection service;

4. To exercise the rights, powers and duties vested by law in the inspectors of automatic couplers, power brakes and grab irons or hand holds on railroad locomotives, tenders, cars and similar vehicles, their officers and employees;

5. To exercise the rights, powers and duties vested by law in the State fire marshal, deputy State fire marshal, inspectors and other officers and employees of the State fire marshal;

6. To execute and administer all laws and regulations, now or hereafter enacted, relating to weights and measures;

7. To execute and administer all laws and regulations, now or hereafter enacted, relating to standards of quantity and quality of and for commodities;

8. To execute and administer all laws and regulations, now or hereafter enacted, relating to the safety and purity of illuminating oils and gasoline.

§ 57. The Public Utilities Commission created by this Act shall exercise and discharge the rights, powers and duties vested by law in the State Public Utilities Commission under an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, or any future amendments thereto or modifications thereof.

Said Act and all amendments thereto and modifications thereof, if any, shall be administered by the public utilities commission created by this Act, and in its name, without any direction, supervision or control by the Director of Trade and Commerce.

THE DEPARTMENT OF REGISTRATION AND EDUCATION.

§ 58. The Department of Registration and Education shall have power :

1. To exercise the rights, powers and duties vested by law in the board of education of the State of Illinois, the board of trustees of the Southern Normal University at Carbondale, the board of trustees of the Northern Illinois State Normal School at DeKalb, the board of trustees of the Eastern Illinois State Normal School at Charleston, and the board of trustees of the Western Illinois State Normal School at Macomb;

2. To exercise the rights, powers and duties vested by law in the board of veterinary examiners and the State Board of Live Stock Commissioners relating to the practice of veterinary medicine and surgery in the State of Illinois;

3. To exercise the rights, powers and duties vested by law in the board of examiners of horseshoers;

4. To exercise the rights, powers and duties vested by law in the State Board of Examiners of Architects;

5. To exercise the rights, powers and duties vested by law in the State Board of Examiners of Structural Engineers;

6. To exercise the rights, powers and duties vested by law in the State Board of Health relating to the practice of medicine, or any of the branches thereof, or midwifery;

7. To exercise the rights, powers and duties vested by law in the State Board of Health relating to the regulation of the embalming and disposal of dead bodies, and for a system of examination, registration and licensing of embalmers;

8. To exercise the rights, powers and duties vested by law in the State Board of Pharmacy;

9. To exercise the rights, powers and duties vested by law in the Illinois State Board of Dental Examiners;

10. To exercise the rights, powers and duties vested by law in the Illinois State Board of Nurse Examiners;

11. To exercise the rights, powers and duties vested by law in the State Board of Optometry;

12. To exercise the rights, powers and duties vested by law in the State Board of Barber Examiners, its officers and employees;

13. To investigate and study the natural resources of the State and to prepare plans for the conservation and development of the natural resources and for that purpose the officers and employees thereof may enter and cross all lands in this State, doing no damage to private property;

14. To cooperate with and advise departments having administrative powers and duties relating to the natural resources of the State, and to cooperate with similar departments in other states and with the United States Government;

15. To conduct a natural history survey of the State, giving preference to subjects of educational and economical importance;

16. To publish, from time to time, reports covering the entire field of zoology and botany of the State;

17. To maintain a State museum, and to collect and preserve objects of scientific and artistic value, representing past and present fauna and flora, the life and works of man, geological history, natural resources, and the manufacturing and fine arts;

18. To supply natural history specimens to the State educational institutions and to the public schools;

19. To investigate the entomology of the State;

20. To investigate all insects dangerous or injurious to agricultural or horticultural plants and crops, live stock, to nursery trees and plants,

to the products of the truck farm and vegetable garden, to shade trees and other ornamental vegetation of cities and villages, to the products of the mills and the contents of warehouses, and all insects injurious or dangerous to the public health;

21. To conduct experiments with methods for the prevention, arrest, abatement and control of insects injurious to persons or property;

22. To instruct the people, by lecture, demonstration or bulletin, in the best methods of preserving and protecting their property and health against injuries by insects;

23. To publish, from time to time, articles on the injurious and beneficial insects of the State;

24. To study the geological formation of the State with reference to its resources of coal, ores, clays, building stones, cement, materials suitable for use in the construction of roads, gas, mineral and artesian water and other products;

25. To publish, from time to time, topographical, geological and other maps to illustrate the resources of the State;

26. To publish, from time to time, bulletins giving a general and detailed description of the geological and mineral resources of the State;

27. To cooperate with the United States geological survey in the preparation and completion of a contour topographical survey and map;

28. To collect facts and data concerning the water resources of the State;

29. To determine standards of purity of drinking water for the various sections of the State;

30. To publish, from time to time, the results of its investigations of the waters of the State to the end that the available water resources of the State may be better known and that the welfare of the people in the various communities may be conserved;

31. To make analyses of samples of water from municipal or private sources;

32. To distribute, in its discretion, to the various educational institutions of the State specimens, samples and materials collected by it after the same have served the purposes of the department.

§ 59. The normal school board, of which the Director of Registration and Education shall be chairman and *ex-officio* member and of which the Superintendent of Public Instruction shall *ex-officio* be a member and shall be secretary, shall have power and it shall be its duty, independently of the supervision, direction or control of the Director or any other officer of the Department of Registration and Education:

1. To make rules, regulations and by-laws, not inconsistent with law, for the good government and management of the State normal schools and the various interests therein;

2. To visit each State normal school at least once during each scholastic year for the purpose of making an inspection of its condition and work and gathering such information as will enable them to perform their duties intelligently and effectively;

3. To employ, and, for good cause, remove a president of each State normal school and all necessary professors, teachers, instructors,

and other educational assistants, and all other necessary employees, and fix their respective salaries;

4. To prescribe the course of study to be followed, and textbooks and apparatus to be used in each State normal school;

5. To issue, upon the recommendation of the faculties of the respective normal schools, diplomas to such persons as shall have satisfactorily completed the required studies of the respective State normal schools, and confer such professional degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study;

6. To examine into the conditions, management and administration of the State normal schools;

7. To succeed to and to administer all trusts and trust property now or hereafter belonging or pertaining to any of the State normal universities or schools.

§ 60. The Department of Registration and Education shall, wherever the several laws regulating professions, trades and occupations which are devolved upon the department for administration so require, exercise, in its name, but subject to the provisions of this act, the following powers:

1. Conduct examinations to ascertain the qualifications and fitness of applicants to exercise the profession, trade or occupation for which an examination is held; and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

2. Prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades or occupations;

3. Prescribe rules and regulations defining, for the respective professions, trades and occupations, what shall constitute a school, college or university, or department of a university, or other institutions, reputable and in good standing and to determine the reputability and good standing of a school, college or university, or department of a university, or other institution, reputable and in good standing by reference to a compliance with such rules and regulations;

4. Adopt rules providing for and establishing a uniform and reasonable standard of maintenance, instruction and training to be observed by all schools for nurses which are to be deemed reputable and in good standing and to determine the reputability and good standing of such schools for nurses by reference to compliance with such rules and regulations;

5. Establish a standard of preliminary education deemed requisite to admission to a school, college, or university, and to require satisfactory proof of the enforcement of such standard by schools, colleges and universities;

6. Conduct hearings on proceedings to revoke or refuse renewal of licenses, certificates or authorities of persons exercising the respective professions, trades or occupations, and to revoke or refuse to renew such licenses, certificates or authorities;

7. Formulate rules and regulations when required in any act to be administered.

None of the above enumerated functions and duties shall be exercised by the Department of Registration and Education, except upon the action and report in writing of persons designated from time to time by the Director of Registration and Education to take such action and to make such report, for the respective professions, trades and occupations as follows:

For the veterinary practitioners, three competent veterinary surgeons, not more than two of whom shall be graduates of the same veterinary college, and neither of whom shall be connected with any veterinary college in any capacity;

For the horseshoers, five persons, consisting of three practical master horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing in this State, and two journeymen horseshoers, who have been for at least three years prior to their designation engaged in the occupation of horseshoeing as journeyman horseshoers in this State:

For the architects, five persons, one of whom shall be a member of the faculty of the University of Illinois, and the other four of whom shall be architects residing in this State, who have been engaged in the practice of architecture at least ten years;

For the structural engineers, five persons, one of whom shall be a professor in the civil engineering department of the University of Illinois, and the others of whom shall be structural engineers of recognized standing, who have had not less than ten years' practical experience, then practicing as structural engineers in this State;

For the medical practitioners, embalmers and midwives, five persons, all of whom shall be reputable physicians licensed to practice medicine and surgery in this State, no one of whom shall be an officer, trustee, instructor or stockholder or otherwise interested directly or indirectly, in any medical college or medical institution. For the purpose of preparing questions and rating papers on practice peculiar to any school, graduates of which may be candidates for registration or license, the director may designate additional examiners whenever occasion may require;

For the pharmacists, five persons, each of whom shall be a competent registered pharmacist, in the State, and shall have had ten years' practical experience in the dispensing of physicians' prescriptions since such registration;

For the dentists, five persons, each of whom has been a licensed practitioner of dentistry or dental surgery in this State for a period of five years or more, and no one of whom is in any way connected with or interested in any dental college or dental department of any institution of learning;

For the registered nurses, five persons, each of whom is a registered nurse in this State and has been graduated for at least a period of five years from a school for nurses in good standing, and, during the course of training, has served for two years in a general hospital, and three of whom shall have had at least two years' experience in educational work among nurses;

For the optometrists, five persons from among such practicing optometrists of the State as have had not less than five years' practical experience in optometry, no one of whom is a member of any optical school or college or instructor in optometry or person connected in any way therewith, or is a manufacturer, jobber or jobbing representative;

For the barbers, three practical barbers, each of whom has been for at least five years preceding his designation engaged in the occupation of barbering in this State.

The action or report in writing of a majority of the persons designated for any given trade, occupation or profession, shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act for the several professions, trades and occupations the director shall give due consideration to recommendations by members of the respective professions, trades and occupations and by organizations therein.

Whenever the director is satisfied that substantial justice has not been done either in an examination or in the revocation of or refusal to renew a license, certificate or authority, he may order re-examinations or rehearings by the same or other examiners.

§ 61. All certificates, licenses and authorities shall be issued by the Department of Registration and Education, in the name of such department, with the seal thereof attached.

§ 62. Unless otherwise provided by law, the functions and duties formerly exercised by the State entomologist, the State laboratory of natural history, the State water survey and the State geological survey and vested by this Act in the department of registration and education, shall continue to be exercised at the University of Illinois in buildings and places provided by the trustees thereof.

§ 63. The board of natural resources and conservation, acting through five or more sub-committees, each of which shall be composed of the Director of Registration and Education, the President of the University of Illinois, or his representative, and the expert adviser specially qualified in each of the fields of investigation, shall:

1. Consider and decide all matters pertaining to natural history, geology, water and water resources, forestry, and allied research, investigational and scientific work;

2. Select and appoint, without reference to the State civil service law, members of the scientific staff, prosecuting such research, investigational and scientific work;

3. Co-operate with the University of Illinois in the use of scientific staff and equipment;

4. Co-operate with the various departments in research, investigational and scientific work useful in the prosecution of the work of any department.

The board of State museum advisors shall advise the Director of Education and Registration in all matters pertaining to maintenance, extension and usefulness of the State museum.

REPEAL.

§ 64. The following Acts and parts of Acts are hereby repealed.

"An Act to secure the enforcement of the law for the prevention of cruelty to animals," approved May 25, 1877, in force July 1, 1877;

"An Act to create the court of claims and to prescribe its powers and duties," approved May 16, 1903, in force July 1, 1903;

"An Act to secure the collection and publication of agricultural and other statistics," approved and in force May 25, 1877;

"An Act to establish and maintain a laboratory for the production of hog cholera serum and other biological products, for free distribution to the live stock producers of the State of Illinois, and making an appropriation therefor," approved June 10, 1909, in force July 1, 1909;

"An Act to create a bureau of labor statistics and statistical details of manufacturing industries and commerce of the State, and to provide for a board of commissioners and secretary, and repealing certain Acts therein named," approved June 10, 1909, in force July 1, 1909;

"An Act to prevent accidents in mines and other industrial plants, and to conserve the resources of the State by the establishment of Illinois miners and mechanics' institutes, and for the administration and support of the same," approved May 25, 1911, in force July 1, 1911;

"An Act creating the office of supervising architect of the State of Illinois and defining his powers and duties," approved April 24, 1899, in force July 1, 1899;

"An Act creating the office of supervising engineer for the General Assembly, its members and committees, and the Board of Administration of the State of Illinois, and fixing his compensation," approved June 10, 1911, in force July 1, 1911;

"An Act conferring upon the Board of Administration of the State of Illinois the power to condemn and take real estate as therein named," approved May 27, 1911, in force July 1, 1911;

Sections 5 and 7 of an Act entitled, "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912;

"An Act conferring upon the State Board of Agriculture the power to condemn and take real estate through the exercise of the right of eminent domain," approved June 26, 1913, in force July 1, 1913;

"An Act to create a State art commission, and to define its powers and duties," approved June 4, 1909, in force July 1, 1909;

"An Act creating the office of State inspector of masonry, public buildings and works, and prescribing qualifications, duties and compensation," approved June 28, 1915, in force July 1, 1915;

Sections 5 and 7 of an Act entitled, "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912;

Section 9 of an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899;

"An Act for the appointment of a State entomologist," approved and in force March 9, 1867;

"An Act to provide for the office of the State entomologist, to define its duties, and to extend its equipment," approved May 25, 1907, in force July 1, 1907;

"An Act to establish a State historical library and natural history museum, to provide for its care and maintenance, and to appropriate money therefor," approved May 25, 1877, in force July 1, 1877;

"An Act respecting the State laboratory of natural history and the State entomologist's office," approved June 27, 1885, in force July 1, 1885;

"An Act to establish a chemical survey of the waters of the State of Illinois," approved June 7, 1897, in force July 1, 1897;

"An Act to establish and create at the University of Illinois, the bureau to be known as a State geological survey, defining its duties and providing for the preparation and publication of its reports and maps to illustrate the natural resources of the State, and making appropriations therefor," approved May 12, 1905, in force July 1, 1905;

Section 6 of an Act entitled, "An Act to prevent the introduction and spread in Illinois of the San Jose scale and other dangerous insects and contagious diseases of fruits, and repealing a certain Act therein named," filed June 4, 1907, in force July 1, 1907;

"An Act imposing new and additional duties upon the State water survey, and making appropriation therefor," approved May 25, 1911, in force July 1, 1911.

§ 65. The following Act is also hereby repealed: "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same," approved June 23, 1883, in force July 1, 1883, but the repeal of said Act shall not take effect or be in force until the first day of January, A. D. 1919.

APPROVED March 7, 1917.

AGRICULTURE.

PLANT INSPECTION.

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| <p>§ 1. Name of Act.</p> <p>§ 2. Definition of terms used in Act.</p> <p>§ 3. Duty of Department of Agriculture to inspect nurseries.</p> <p>§ 4. Authority of Department of Agriculture to inspect generally.</p> <p>§ 5. Nursery stock not to be shipped until inspected.</p> <p>§ 6. Annual inspection of nurseries located in State.</p> <p>§ 7. May withhold certificate until conditions have been met.</p> <p>§ 8. Dealers required to secure certificate.</p> <p>§ 9. How dealers outside of State are to be certificated.</p> <p>§ 10. Agents required to carry certificate and make the necessary oath.</p> <p>§ 11. Selling stock not covered by certificate.</p> <p>§ 12. Unlawful to ship nursery stock into State not bearing certificate.</p> <p>§ 13. Carrier or person receiving nursery stock not bearing certificates to notify Department of Agriculture.</p> <p>§ 14. Unlawful to sell, ship, give away, etc., nursery stock not properly inspected.</p> | <p>§ 15. Gardeners, horticulturists and nurserymen must keep plants free from insect pest and diseases.</p> <p>§ 16. Department of Agriculture may declare infected places a nuisance and abate same.</p> <p>§ 17. Municipalities may have public grounds inspected.</p> <p>§ 18. Any florist may have his plants inspected by paying necessary expense.</p> <p>§ 19. Department of Agriculture may prohibit shipment of infected nursery stock into State.</p> <p>§ 20. Department of Agriculture to establish quarantine.</p> <p>§ 21. Control of infected districts.</p> <p>§ 22. Review of ruling of Department of Agriculture.</p> <p>§ 23. Penalty.</p> <p>§ 24. Act of agent to inure to principal.</p> <p>§ 25. Act not to conflict with Act of Congress.</p> <p>§ 26. Unconstitutionality of part of Act.</p> <p>§ 27. Repeal.</p> <p>§ 28. Emergency.</p> |
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(HOUSE BILL No. 688. FILED JUNE 29, 1917.)

AN ACT to prevent the introduction into and the dissemination within this State of insect pests and diseases injurious to the plants and plant products of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* This Act shall be known by the short title of "The Plant Inspection Act of 1917."

§ 2. For the purposes of this Act, the following terms shall be construed, respectively, to mean:

Insect pests and diseases:—Insect pests and diseases injurious to plants and plant products of this State, including any of the stages of development of such insect pests and diseases.

Plants and plant products:—Trees, shrubs, vines, forage and cereal plants, and all other plants; cuttings, grafts, scions, buds, and all other parts of plants; and fruit, vegetables, roots, bulbs, seeds, wood, lumber, and all other plant products.

Nursery stock:—All field-grown trees, shrubs, vines, cuttings, grafts, scions, buds, fruit-pits, and other seeds of fruit and ornamental trees and shrubs, and other plants and plant products grown or kept for

propagation, excepting field, vegetable and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

Nursery:—Any grounds or premises on or in which nursery stock is propagated and grown for sale, or any grounds or premises on or in which nursery stock is being fumigated, treated, packed or stored.

Nurseryman:—Any person who owns, leases, manages, or is in charge of a nursery.

Dealer:—Any person not a grower of nursery stock in this State, who buys nursery stock for the purpose of reselling and reshipping independent of any control of the nurseryman.

Agent:—Any person selling nursery stock under the partial or full control of a nurseryman, or of a dealer or other agent. This term shall also apply to any person engaged with a nurseryman, dealer or agent in handling nursery stock on a co-operative basis.

Places:—Vessels, cars and other vehicles, buildings, docks, nurseries, orchards and other premises, where plants and plant products are grown, kept, or handled.

Persons:—Individuals, associations, partnerships and corporations.

Words used in the Act shall be construed to import either the plural or the singular, as the case demands.

§ 3. It shall be the duty of the Department of Agriculture to inspect once each year all nurseries and nursery stock in the State of Illinois as to whether they are infested or infected by insect pests and diseases.

§ 4. The Department of Agriculture shall have authority to inspect any orchard, fruit- or garden-plantation, field, park, cemetery, private premises, or public place, and any place which might become infested or infected with insect pests or diseases. It shall also have authority to inspect or to reinspect at any time or place any nursery stock shipped in or into the State, and to treat it as hereinafter provided. For the purposes of inspection, the officers and employees of the Department of Agriculture shall have free access within reasonable hours to any field, orchard, garden, packing ground, building, cellar, freight or express office, warehouse, car, vessel, or other place where it may be necessary or desirable for them to enter in carrying out the provisions of this Act. It shall be unlawful to deny such access to the officers and employees of the Department of Agriculture, or to hinder, thwart, or defeat such inspection by misrepresenting or concealing facts or conditions, or otherwise.

§ 5. Persons desiring to sell or ship nursery stock in this State shall make application in writing before July 1 of each year to the Department of Agriculture for the inspection of their stock, and any nurseryman failing to comply with this section shall be liable to extra charges to cover the expenses of a special trip by the officers or employees of the Department of Agriculture. Every person receiving directly or indirectly any nursery stock from a foreign country shall notify the Department of Agriculture of the arrival of such shipment, of the contents thereof, and of the name of the consignor, and shall hold such shipment unopened until duly inspected or released by such department.

§ 6. It shall be the duty of the Department of Agriculture to cause to be inspected at least once each year between July 1 and September 15, all nurseries in the State of Illinois as to whether they are infested by insect pests or infested [infected] by diseases. If upon the inspection of any nursery as above provided it shall appear that said nursery and its premises are apparently free from insect pests and diseases, it shall be the duty of the Department of Agriculture, upon payment of the expenses of inspection, to give or to send to the owner of said nursery or the person in charge of the same, not later than October 1, a certificate executed by the Department of Agriculture setting forth the fact of such inspection, and said certificate shall be valid not to exceed one year from the date thereof. The provisions of this section shall not apply to florist's greenhouse plants nor to flowers or cuttings commonly known as greenhouse stock. It shall be unlawful for any person to sell or to offer for sale or to remove or ship from a nursery or other premises any nursery stock until such stock has been officially inspected and a certificate or permit covering it has been granted by the Department of Agriculture; except that scions of fruit trees may be shipped from one place to another within this State without inspection, under a special permit of the Department of Agriculture, in which case they must be held unused by the person receiving them until they have been duly inspected and pronounced free from insect pests and diseases.

§ 7. If the Department of Agriculture shall find that part of a nursery is infested or infected with insect pests or plant diseases, and that the remainder of it is not so infested or infected, or if it shall have reason to believe that a nursery is liable, by reason of its proximity to infested or infected premises, to become so infested or infected before the next annual inspection, it may prescribe in writing such measures or precaution, or may make in writing such conditions as to the use of its certificate, as may in its judgment be necessary, and it may withhold a certificate until such conditions have been accepted in writing by the owner of said nursery; and the use of such certificate without taking such measures of precaution or observing such conditions shall subject the owner of said nursery to the penalties prescribed for a violation of this Act.

§ 8. Every dealer within the meaning of this Act, located either within or without the State, engaged in selling nursery stock in this State shall secure a dealer's certificate, first furnishing an affidavit that he will buy and sell only stock which has been duly inspected and certified by the Department of Agriculture; or inspector approved by the Federal Horticultural Board and that he will maintain with the Department of Agriculture a list of all sources from which he secures his stock.

§ 9. Nurserymen, dealers or other persons residing or doing business outside the State desiring to solicit orders for nursery stock in this State, shall, upon filing a certified copy of their original state certificate with the Department of Agriculture, if said certificate is approved by the department, receive a certificate permitting such persons to solicit orders for nursery stock in this State.

§ 10. All agents within the meaning of this Act selling nursery stock or soliciting orders for nursery stock for any nursery man or dealer located within the State or outside the State, shall be required to secure and carry a dealer's certificate bearing a copy of the certificate held by the principal. Said agent's certificate shall be issued only by the Department of Agriculture to agents authorized by their principal or upon request of their principal[.] every [Every] such agent or solicitor shall, before soliciting orders for nursery stock, furnish an affidavit to the Department of Agriculture that he will solicit orders only for the stock which has been duly inspected in accordance with the provisions of this Act.

§ 11. If it shall be found at any time that a certificate of inspection issued or accepted pursuant to the provisions of this Act is being used in connection with plants or plant products which are infested or infected with insect pests or diseases, or is being used in connection with plants or other property which have not been inspected and certified as aforesaid, its further use may be prohibited, subject to such inspection and other disposition of the plants and plant products involved as may be provided for by the Department of Agriculture.

§ 12. It shall be unlawful for any person to bring or cause to be brought into this State any nursery stock unless there is plainly and legibly marked thereon or affixed thereto, or on or to the car or other vehicle carrying, or on the bundle, package, or other container of, the same, in a conspicuous place, a statement or a tag or other device showing the names and addresses of the consignors or shippers and the consignees or persons to whom shipped, the general nature of the contents, and the name of the locality where grown, together with a certificate of inspection of the proper official of the state, territory, district, or country from which it was brought or shipped, showing that such plant or plant product was found or believed to be free from insect pests and diseases.

§ 13. Every person who shall engage in the selling or shipping of nursery stock in this State is hereby required to attach to the outside of each package, box, bale or car-load shipped or otherwise delivered, a tag or poster on which shall appear an exact copy of his valid certificate. In case any nursery stock is shipped in this State or into this State from another state, country, or province without a valid certificate plainly affixed as aforesaid, the fact must be promptly reported to the Department of Agriculture by the person carrying the same, together with the names of the consignor and consignee and the nature of the shipment. Any person receiving nursery stock brought into this State from outside this State without a valid certificate approved by the Department of Agriculture affixed as aforesaid, shall at once notify the Department of Agriculture of the fact, and shall not allow such nursery stock to leave his possession until it has been inspected or released by the Department of Agriculture, and the expenses of such inspection shall be paid by the consignee before the said nursery stock is certified or released.

§ 14. It shall be unlawful for any person to sell, give away, carry, ship, or deliver for carriage or shipment within this State any nursery

stock unless such nursery stock has been officially inspected and a certificate issued by the Department of Agriculture stating that said nursery stock has been inspected and found free from insect pests and diseases. It shall, however, be the privilege of a nurseryman holding a valid certificate covering nursery stock grown by him to ship under said certificate nursery stock grown for him elsewhere or purchased by him from other states or countries, provided that all such nursery stock is received under an official certificate acceptable to the Department of Agriculture stating that it has been inspected where grown and found to be apparently free from insect pests and diseases. The Department of Agriculture shall send once each year not later than July 1, to all nurserymen in the State known to it a list of the official inspectors of other states and foreign countries whose inspection certificates may be accepted in this State for one year from the date thereof as equivalent to its own certificate.

§ 15. All gardeners, horticulturists, nurserymen or other growers of or dealers in plants of any kind upon their own lands or upon lands or premises leased by them and all public authorities having jurisdiction over highways, streets, parks and public places, on which plants, shrubs, trees, vines, cuttings, scions, stocks, or other plant parts are grown, cultivated, or brought in by them, shall keep the same free from insect pests and diseases which are liable to spread to other plants or places and all plants, shrubs or trees or places so infested or infected are hereby declared to be a nuisance.

§ 16. If the Department of Agriculture shall have reason to suppose that any property or place in this State is infested or infected by insect pests or diseases, it shall have power to inspect or to cause to be inspected from time to time such property or place, and if it shall find by inspection as aforesaid that any person is maintaining a nuisance, as described in section 15 of this Act, the Department of Agriculture shall give written notice of the facts to the owner or other person in possession or control of the place where found, which said notice shall contain a description of methods by which, and specify a time within which, said nuisance should be abated, and such owner or other person shall proceed to control, eradicate, or prevent the dissemination of, such insect pest or disease within the time and in the manner described by said notice, and shall remove, cut or destroy infested and infected plants and plant products, or things and substances used or connected therewith, if the same are incapable of effective treatment. Whenever such owner or other person can not be found, or shall fail, neglect, or refuse to obey the requirements of said notice, such requirements shall be carried out by the Department of Agriculture if, in the judgment of the department, it is practicable for them so to do, and the Department of Agriculture shall have and enforce a lien for the expense thereof against the place in or upon which such expense was incurred, in the same manner as liens are had and enforced against buildings and lots, wharves and piers, for labor and materials furnished by virtue of contract with the owner.

§ 17 Any municipality, park board, or other board or person in control of public grounds may apply to the Department of Agriculture

for an inspection of the same with reference to the presence of insect pests or diseases, agreeing in the application to pay in full the expenses of the inspection; and upon receipt of such application and agreement, or as soon thereafter as may be conveniently practicable, the Department of Agriculture may comply with such request, and upon receipt of the expenses of the inspection it shall send to the applicant a statement as to the facts disclosed.

§ 18. Any owner of florist's stock or other herbaceous plants which he wishes to ship into another state or country, may apply to the Department of Agriculture for an inspection of the same with reference to the presence of insect pests or diseases liable to prevent the acceptance of such plants in such state or country, agreeing in his application to pay in full the expenses of the inspection, and upon receipt of such application and agreement, or as soon thereafter as may be conveniently practicable, the Department of Agriculture may comply with such request, and upon receipt of the expenses of the inspection it shall issue to the applicant a certificate to the facts disclosed.

§ 19. Whenever the Department of Agriculture shall find that there exists outside of this State any insect pest or disease, and that in order to safeguard plants and plant products in this State, its introduction into this State should be prevented, the Department of Agriculture shall give public notice thereof, specifying the plants and plant products infested or infected, or likely to become infested or infected therewith, and the movement of such plants or plant products into this State from the infested or infected locality designated in said public notice shall thereafter be prohibited until the Department of Agriculture shall find that the danger of the introduction into this State of such insect pests or diseases from such locality has ceased to exist, [exist] of which the Department of Agriculture shall give public notice.

§ 20. Whenever the Department of Agriculture shall find that there exists in this State, or any part thereof, any insect pest or disease, and that its dissemination should be controlled or prevented, the Department of Agriculture shall give public notice thereof, specifying the plant and plant products infested or infected, or likely to become infested or infected therewith, and the movement, planting or other use of any such plant or plant product, or other thing or substance specified in such notice as likely to carry and disseminate such insect pest or disease, except under such conditions as shall be prescribed by the Department of Agriculture as to inspection, treatment and disposition, shall be prohibited within such area as shall be designated in said public notice until the Department of Agriculture shall find that the danger of dissemination of such insect pest or disease has ceased to exist, [exist] of which the Department of Agriculture shall give public notice. *Provided, however,* that before the Department of Agriculture shall promulgate the order of quarantine, as provided in this section, the Department of Agriculture shall, after due notice to the interested parties, give a public hearing under such rules and regulations as the department shall prescribe, at which hearing any interested person may appear and be heard, either in person or by attorney.

§ 21. If the Department of Agriculture shall find, at any time, in any county, township, or other geographical district, fields, crops or any property or place so infested by insect pests, or infected with plant diseases as to threaten increasing or serious injury to farm crops or other property, which injury might, in the judgment of the Department of Agriculture be restrained by reasonable measures of arrest and prevention, it shall require of all persons owning, leasing, managing, or occupying property infested by such insect pests, or infected by such diseases, within said district, that they shall take such measures of arrest and prevention as are prescribed by the Department of Agriculture for the protection of the property of others against injury; and it shall be the duty of every person so notified and instructed to perform the acts required of him by the instructions of the Department of Agriculture.

§ 22. Any person affected by any rule or regulation made or notice given, pursuant to this Act, may have a review thereof by the Department of Agriculture for the purpose of having such rule, regulation or notice modified, suspended, or withdrawn. Such review shall be allowed and considered and the costs thereof fixed, assessed, collected or paid in such manner and in accordance with such rules and regulations as may be prescribed by the Department of Agriculture.

§ 23. Any person who shall violate the provisions of this Act with reference to the sale, shipment, delivery, receipt, labeling, transportation, or treatment of nursery stock, plants, plant products, or other property; or who shall fail to report the receipt of uncertified nursery stock as required in section 13 of this Act; or who shall forge, counterfeit, deface, alter, destroy, or wrongfully use any certificate provided for in this Act; or who shall use, plant, or remove, without permission of the Department of Agriculture, infested or infected property concerning whose condition he has received official notice; or who shall maintain a nuisance as described in this Act, after notice by the Department of Agriculture; or who shall fail or neglect to take such reasonable measures for the arrest and prevention of injury by insect pests and diseases as are required of him by the Department of Agriculture under section 21 of this Act; or who shall offer any hindrance or resistance to the carrying out of this Act; shall be adjudged guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars or more than a hundred dollars for each and every offense, together with all costs of procedure. It shall be the duty of the Department of Agriculture to furnish to the State's Attorney of the county in which an offense is committed, or to the Attorney General of the State, all information in its possession concerning violations of this Act, and the officer so notified shall prosecute such violations of this Act, and the amounts so received shall be paid into the treasury of the State.

§ 24. In construing and enforcing the provisions of this Act, the act, omission or failure of any official, agent or other person acting for or employed by any association, partnership or corporation, within the scope of his employment or office, shall, in every case, also be deemed the act, omission or failure of such association, partnership or corporation, as well as that of the person.

§ 25. This Act shall not be so construed or enforced as to conflict in any way with any Act of Congress regulating the movement of plants or plant products in interstate or foreign commerce.

§ 26. If any section or part of a section of this Act shall, for any cause, be held unconstitutional, such fact shall not affect the remainder of this Act.

§ 27. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

§ 28. Whereas an emergency exists, this Act shall take effect from and after its passage; and whereas the Act establishing the Department of Agriculture does not take effect until July 1, the duties of the Department of Agriculture under this Act shall be performed, so far as necessary, by the State Entomologist, until July 1, 1917.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.
Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

ANIMALS AND BIRDS.

PROTECTING OWNER OF LICENSED STALLION OR JACK.

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| § 1. Lien on mare or jennet or progeny for service fee—precedence of lien. | § 6. Proceedings as in other suits—judgment. |
| § 2. Claim for lien to be filed with recorder of deeds—duration of lien. | § 7. When defendant not found—proceedings. |
| § 3. Duty of recorder of deeds. | § 8. Judgment—execution. |
| § 4. Copy of claim for lien to be received as evidence in foreclosure proceedings. | § 9. Finding of court—form of verdict—costs. |
| § 5. Suits to foreclose—summons. | § 10. Proceedings to satisfy lien. |
| | § 11. Redemption. |

(SENATE BILL NO. 412. APPROVED JUNE 21, 1917.)

AN ACT to protect the owner of any licensed stallion or jack kept for public service and to subject the mare or jennet or progeny of such animal, or both, to a lien for the service fee of such stallion or jack.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every owner of any licensed stallion or jack kept for public service, who, at the request of the owner of any mare or jennet, or his authorized agent, shall cause such mare or jennet to be served by his stallion or jack, shall have a lien on the mare or jennet served and first lien upon the progeny of such mare or jennet for the service fee of such stallion or jack and each lien conferred by this Act shall take precedence of all other liens or claims thereon not duly recorded prior to recording claim of lien as hereinafter provided.

§ 2. Any owner of a licensed stallion or jack desiring to secure the benefits of this Act, shall within six (6) months after any mare or jennet has been served by his stallion or jack, file with the recorder of deeds in the county in which such mare or jennet is, a claim for lien in writing and under oath, setting forth therein his intention to claim a

lien upon such mare or jennet or progeny thereof, or both, for the service fee of his stallion or jack.

Such claim for lien shall state the name and residence of the person claiming the lien, the name of the owner or reputed owner of the mare or jennet or progeny thereof, or both, sought to be charged with the lien, and a description of such animal or animals sufficient for identification upon which the lien is claimed, and the amount due the claimant for the service fee of his stallion or jack.

The claim for lien filed with the recorder of deeds shall expire and become void and of no effect if suit is not brought to foreclose the same within twelve months after the date of such service by such stallion or jack.

§ 3. It shall be the duty of the recorder of deeds, upon presentation to him of any such claim for lien, together with the recording fee, to file the same in his office in the same manner as provided by law for the filing and recording of chattel mortgages.

§ 4. The original, or copy of such claim for lien filed as aforesaid certified by the recorder of deeds, shall be received in evidence in any proceeding taken to foreclose the lien herein provided for, of the fact that such claim for lien was received and filed according to the endorsement of the recorder of deeds thereon.

§ 5. The person claiming such lien may commence suit to foreclose the same by summons in the usual form before any Justice of the Peace of the county or before any municipal court of the city in which the animal or animals described in his claim for lien may be found. Such suit shall be against the person or persons liable for the payment of the service fee of claimant's stallion or jack.

§ 6. If such summons be returned personally served upon the defendant or defendants, the same proceeding shall thereupon be had in all respects as in other suits commenced by summons in which there is a personal service of process and judgment shall be rendered in such suit in like manner.

§ 7. If the officer returns such summons showing that a defendant or defendants cannot be found in his county, the same proceedings shall thereupon be had in all respects as to the defendant or defendants not personally served, as near as may be, as in suits commenced by attachment in which there is not a personal service of process upon the defendant and judgment shall be rendered in such suit in like manner.

§ 8. If the plaintiff recover judgment in such suit, execution shall issue thereon in the same manner and with the like effect as upon judgments rendered in suits commenced by attachment and the mare or jennet or progeny thereof, or both, upon which the plaintiff holds such lien shall not be exempt from execution, but may be sold to satisfy such execution in the manner hereinafter provided.

§ 9. In all suits prosecuted under the provisions of this Act, the court, jury, or Justice of the Peace, who shall try the same, or make an assessment of damages therein, shall in addition to finding the sum due the plaintiff, also find that the same is due for the service fee of plaintiff's stallion or jack and is a lien on the mare or jennet or progeny thereof, or

both, as described in plaintiff's claim for lien: *Provided, however*, that if the court, jury, or Justice of the Peace shall find the amount due the plaintiff is not a lien upon the property described in the plaintiff's claim for lien, the plaintiff shall not be non-suited thereby if personal service of summons has been had upon the defendant, but shall be entitled to judgment as in other civil actions; and in those cases where the amount due is found to be a lien upon the animal or animals described in plaintiff's claim for lien, the finding or verdict may be in the following form: "The court, jurors, or justices, as the case may be, say that there is due to the plaintiff the sum of.....dollars from the said defendant or defendants and that the same is due for the service fee of plaintiff's stallion or jack, and that the plaintiff has a lien upon said mare or jennet or progeny thereof, or both, as described in plaintiff's claim for lien for said amount," and in such case, the fee paid by the claimant to the recorder of deeds for filing his claim for lien shall be taxed as part of the costs of the suit.

§ 10. When the said lien shall be duly perfected as above provided, the mare or jennet or progeny thereof, or both, as above provided, shall be sold under execution to satisfy said lien as follows: The Justice of the Peace or court shall, at the time of rendering judgment in the suit tried before him and on the day of trial, enter upon his docket an order designating the time and place at which such animal or animals, shall be sold under the execution. All such sales shall be for cash, at public sale, to the highest bidder and shall take place not less than three nor more than five days after the entry of the order of sale and shall be made by a constable of the county or by a bailiff of the Municipal Court of the city in which the sale takes place. The officer making the sale shall advertise the time and place of such sale, together with the correct description of the mare or jennet or progeny thereof, or both, to be sold, by posting written or printed notices of such sale at three of the most public places of the township[,] city or village where such mare or jennet or progeny thereof, or both, is found. The officer making such sale shall forthwith file with the Justice of the Peace or court in whose court the judgment was entered a written statement of the amount realized from such sale and all proper items of expense in connection therewith and shall then pay from the proceeds of such sale, in the order named, to the parties entitled to receive the same all necessary expense incurred in the keep of such animal or animals, all constable's and bailiff's fees, all court costs taxed in the suit, the amount of the judgment recovered by the plaintiff or claimant and the surplus, if any, he shall pay to the defendant in the suit or to his legal representative.

§ 11. All sales of an animal or animals under this Act shall be made subject to redemption by the owner of such animal or animals, or his legal representatives; such redemption to be made within thirty days from the day of sale by paying to the plaintiff, officer making the sale, or to the judge or justice upon whose docket the same was entered, the amount of the judgment with interest at the rate of five per cent and all costs and expenses taxed in the proceeding, together with the reasonable

and necessary expense or cost of the keep of such animal or animals from the day of sale to and including the day of redemption.

APPROVED June 21, 1917.

REGULATING PUBLIC SERVICE OF STALLIONS AND JACKS.

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| § 1. Stallion or jack for public service to be registered—license. | § 7. Fees—renewals—transfers—duplicate certificates. |
| § 2. What necessary to obtain license certificate—when license denied. | § 8. Date of expiration of license—renewal fee—when stallion or jack entitled to permanent certificate. |
| § 3. What unsoundnesses shall disqualify stallion or jack from public service. | § 9. Department shall take cognizance of complaint reporting unsoundness and investigate fraud—revocation of license. |
| § 4. Department shall keep records of all stallions or jacks enrolled. | § 10. Penalty. |
| § 5. Owner to keep copies of license certificate—forms of advertisement. | § 11. Fees and fines to be turned into State treasury. |
| § 6. Pure-bred license shall be issued to what stallion or jack—grade license—forms of license. | § 12. Annual report. |
| | § 13. Repeal. |

(SENATE BILL NO. 413. APPROVED JUNE 21, 1917.)

AN ACT to regulate the public service of stallions and jacks in Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person, firm, company or corporation standing or offering any stallion or jack for public service in this State shall cause the name, description and age, and in the case of a pure-bred animal the pedigree, of such stallion or jack to be enrolled by the Department of Agriculture, and secure a license from said department as provided in section two (2) of this Act.

§ 2. In order to obtain the license certificate herein provided for, the owner or owners of each stallion or jack shall forward an application and the fee to the Department of Agriculture, together with an affidavit executed by said owner or owners individually or by a graduate veterinarian acceptable to the Department of Agriculture to the effect that such stallion or jack is free from hereditary, infectious or contagious disease or unsoundness, or in the event of said stallion or jack being unsound, the nature and extent of said unsoundness shall be specified in the application, a notation of which shall be embodied in the certificate of license issued, as follows: Amourosis [amaurosis], bog spavin, side bone, navicular disease, curb, chorea, string halt or roaring.

The owner of any pure-bred stallion or jack making application for license, shall furnish to the Department of Agriculture at the time the application for license is made, the stud book certificate of registry of said stallion or jack, and also all transfers, together with all other papers necessary to establish the breeding and ownership. Upon verification of pedigree, certificate of breeding, transfers of ownership and affidavit of soundness as provided for in this Act, a license certificate shall be issued to the owner making application for same. The refusal or failure to forward papers showing breeding and ownership as provided for in this section, shall be taken as evidence of their non-existence, and in all such cases, licenses as pure-bred animals shall be denied.

§ 3. The presence of any one of the following named unsoundnesses shall disqualify a stallion or jack for public service: periodic ophthalmia (moonblindness); bone spavin; bog spavin; ring bone; curb, when accompanied by curby formation of the hock; or any contagious or infectious disease.

§ 4. The Department of Agriculture shall make and keep records of all stallions or jacks enrolled in the State of Illinois, said stallions and jacks to be licensed as "pure-bred," or "grade," according as the facts may have been determined. Upon making the enrollment of said stallion or jack, the Department of Agriculture shall issue a license certificate as above provided.

§ 5. The owner of any stallion or jack used for public service in this State shall post and keep affixed during the entire breeding season or seasons, a copy of the license certificate of such stallion or jack, and affidavit of soundness, issued under the provisions of this Act, in a conspicuous place upon the stall door or in the enclosure leading to said stall of every stable or building where said stallion or jack is used for public service. Said copies shall be printed in bold face type not smaller than great primer[.]

Each bill, poster, newspaper advertisement or any other form of advertisement shall have as a heading for such bill, poster and advertisement the class of license issued for said stallion or jack and the number of his license: Thus, "Pure-bred License No.....," "Grade License No.....," as the case may be. In all advertisements published within the county in which the horse is owned this heading shall be set in the largest and boldest type used in the advertisement, and all unsoundness listed in the license certificate shall be so stated in said advertisement.

§ 6. A pure-bred license certificate shall be issued for a stallion or jack whose pedigree is registered in a stud book recognized by the United States Department of Agriculture, Washington, D. C., in B. A. I. Order 175, dated November 25, 1910, or the pedigree of which is registered in the stud book of one of the following named associations, societies, clubs or corporations: American Association of Importers and Breeders of Belgian Draft Horses; American Breeders' Association of Jacks and Jennets; The American Breeders' and Importers' Percheron Registry Company; American Clydesdale Association; American Hackney Horse Society; American Morgan Registry Association; American Saddle Horse Breeders' Association; American Shetland Pony Club; American Shire Horse Association; American Suffolk Horse Association; American Trotting Register Association; Arabian Horse Club of America; Cleveland Bay Society of America; French Coach Horse Society of America; German, Hanoverian and Oldenburg Coach Horse Association of America; Standard Jack and Jennet Registry Association of America; The Jockey Club; National French Draft Horse Association of America; Percheron Society of America; Welsh Pony and Cob Society of America.

A grade license certificate shall be issued for a stallion or jack whose pedigree is not registered in one of the above named associations, societies, clubs or corporations.

The license certificates issued by the Department of Agriculture shall be in such form or forms as prescribed and designated by the department, to show the true breeding and condition of soundness of the stallion or jack enrolled.

§ 7. A fee of two (\$2.00) dollars shall be paid to the Department of Agriculture at the time application is made for enrollment and license, which application shall include the affidavit of soundness of the animal. This fee shall be in full payment for the examination of the pedigrees in cases of pure-bred animals; the enrollment of the name, description and ownership of each stallion or jack as "pure-bred," or "grade"; and the issuance of a license certificate in accordance with the breeding of the stallion or jack.

Renewal license certificates shall be issued annually, application for which shall be made between the first day of January and the first day of March of each year upon the filing of the original or last renewal license certificate together with an affidavit of soundness with the department and the payment of a renewal fee, which shall be one (\$1.00) dollar.

Upon a transfer of ownership of any stallion or jack enrolled under the provisions of this Act, the license certificate may be transferred to the owner by the Department of Agriculture, upon submittal of satisfactory proof of such transfer of ownership and upon the payment of a fee of fifty cents.

Duplicate license certificates shall be issued only upon receipt of affidavit of owner or agent showing satisfactory proof of the loss or destruction of the original license certificate or renewal thereof and upon the payment of a fee of one (\$1.00) dollar for duplicate original license certificate or a fee of fifty cents for a duplicate renewal license certificate.

§ 8. Each license issued by the Department of Agriculture shall expire on December 31 of the year in which it is issued, but each license may be renewed each year, provided the owner of said stallion or jack make application for renewal before March 1 following the date of expiration, and forward with such application for renewal a fee of one (\$1.00) dollar for each renewal, and submit satisfactory evidence establishing the identity of the animal for which renewal of license is requested. Each renewal shall expire on December 31 of the year for which it is renewed. Failure to apply for license renewal, as herein provided, before March 1 following the date of expiration, shall forfeit the right of renewal and when such right has been forfeited, the owner of such stallion shall procure a new license as provided in section 2.

Any stallion or jack six years old or over having successfully passed examination for soundness as provided in this law for three (3) consecutive years shall be entitled to a permanent State certificate of soundness. The last examination must have been made by a veterinarian approved by the Illinois Department of Agriculture, said examination to have been made within the year in which permanent certificate is granted: *Provided, however,* that the said permanent certificate must be returned each year prior to March 1 to the Commissioner of Agri-

culture with a fee of one (\$1.00) dollar for renewal, and must be accompanied by affidavit from owner that said animal is free from contagious, infectious or communicable disease.

§ 9. The department shall have the right at any time to take cognizance of any complaint, written or verbal, reporting unsoundness of any licensed stallion or jack, and require an examination by a veterinarian if deemed necessary, and [in] case said stallion or jack upon such examination is found to be unsound under the law, to revoke the license; also, to investigate at any time any fraud which may have been perpetrated or attempted in connection with an application for license certificate or affidavit of soundness, and when such cases arise, the department is authorized to revoke the license or take such other action as the facts in the case may warrant.

§ 10. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof before any magistrate, justice of the peace, or other judicial officer of the county wherein the violation is committed, shall be punished by a fine of not less than twenty-five (\$25.00) dollars and not exceeding one hundred (\$100.00) dollars for each offense. All fines shall be for the use of the State of Illinois.

§ 11. The funds accruing from the above named fees and fines shall be turned into the State treasury at the times and in the manner provided by law.

§ 12. It shall be the duty of the Department of Agriculture to make an annual report, including financial statement of its activities under this Act, to the Governor of the State, and to enforce this law.

§ 13. An Act to regulate the public service of stallions in Illinois, approved June 10, 1909, in force January 1, 1910, is hereby repealed.

APPROVED June 21, 1917.

SHEEP KILLED BY DOGS—OWNER—LIABILITY.

§ 1. Amends sections 1, 2 and 5, adds sections 1a, 2a, 2b, 2c, and 10 Act of, 1879.

§ 1. Assessor to make list.

§ 1a. License tax.

§ 2. License fee.

§ 2a. Owner liable.

§ 2b. Dogs trespassing—authority to kill.

§ 2c. Poison—for dogs.

§ 5. Proof of damages—proceedings—record—owner solvent.

§ 10. Refusal to comply with Act—penalty.

§ 2. Title amended.

(HOUSE BILL NO. 885. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs, approved May 29, 1879, in force July 1, 1879, as subsequently amended, by amending the title thereto, by amending sections 1, 2 and 5 thereof, and by adding five new sections to be known as sections 1a, 2a, 2b, 2c and 10."

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs,"

approved May 29, 1879, in force July 1, 1879, as subsequently amended, be and the same is hereby amended, by amending the title thereto, by amending sections 1, 2 and 5 thereof, and by adding five new sections to be known as sections 1a, 2a, 2b, 2c, and 10 to read as follows:

Section 1. That each county and township assessor in this State, when making assessment, shall, annually, make a list of the names of all persons who own or keep a dog or dogs and set opposite the name of such owner or keeper the number of dogs he or she has in his or her possession or that is or are kept on his or her premises, stating whether male, or sterilized or unsterilized female, which list shall be returned by such assessor to the county clerk of the county in which said list is taken, as soon as the assessment is completed.

§ 1a. It shall be the duty of the assessor when making out the lists as provided in the foregoing section, to deliver to the owner or keeper of every dog license, a metallic tag, stamped with the year for which the list is made, and the name of the county in which issued, and the owner or keeper of every such dog shall cause to be placed upon the neck of each dog so owned or kept, a substantial collar provided with the means of attaching thereto a metallic tag as herein provided. It shall be the duty of the county clerk of each county to provide the tags herein mentioned and to keep a record of license tags delivered to each assessor, and the number returned at the time of returning the list, by such assessor. Any person becoming the owner of a dog after the assessment has been returned by the assessor, and any owner of a dog who for any reason the assessor has failed to list, may at any time apply to the county clerk and procure such license tag, by paying to such clerk the license fee herein provided.

§ 2. The county clerk shall charge upon the collector's book against the name of each person reported and returned as the owner or keeper of a dog or dogs as a license fee the sum of one dollar for each male or sterilized dog, and three dollars for each unsterilized female dog owned or kept by such person, which fee shall be collected at the same time and in the same manner as taxes upon personal property. In counties not under township organization, the collector shall pay the amount received from the licenses aforesaid to the treasurer of his county, and in counties under township organization, the sum so collected in each town shall be paid by the collector to the supervisor of his town: *Provided*, such supervisors shall not be required to give any new bond for such license fee, but such supervisor and his sureties shall be liable on his original bond as supervisor in the same manner and to the same extent as they now are for other moneys received by such supervisor by virtue of his office.

Provided, further, that section 1, section 1a, and section 2 of this Act shall not apply to the owners or keepers of dogs who reside within the limits of a city or village having a population of 100,000 or more according to the last preceding Federal or State census in which the licensing of dogs is now or may hereafter be provided for by ordinance.

§ 2a. The owner or keeper of any dog or dogs shall be liable in an action on the case for all damages that may accrue to any person by

reason of any dog or dogs killing, wounding or chasing any sheep belonging to such other person or persons, and when the amount of damages does not exceed two hundred dollars the same may be recovered in an action before a justice of the peace.

§ 2b. If any person shall discover any dog or dogs in the act of killing, wounding or chasing sheep, or shall discover any dog or dogs under circumstances that satisfactorily show that the dog or dogs have been recently engaged in killing, wounding or chasing sheep for the purpose of killing them, such person is authorized to immediately pursue and kill such dog or dogs. Any dog or dogs trespassing on the premises where sheep are kept and not accompanied by their owner or keeper, may be killed while so trespassing, and it shall be lawful to kill unlicensed dogs after the first of June, 1918.

§ 2c. Every person owning or keeping sheep may, in the exercise of reasonable care and with good intentions, put out poison on the premises owned or occupied by such person where sheep are kept, to kill sheep-killing dogs.

§ 5. No person having sheep killed as aforesaid shall be entitled to receive any portion of the fund herein provided for unless he appear before the supervisor of the town in which the sheep are killed or injured or before a magistrate in counties not under township organization, within not less than ten nor more than forty days after the sheep are killed or injured, and make affidavit stating the number of sheep killed or injured, the amount or damages and owner or owners of dog or dogs if known.

All damages shall be proven by not less than two (2) witnesses, who shall be freeholders of the county, and such supervisors or magistrates are hereby authorized to administer oaths in such cases, and shall keep a record in each case of the names of owners and the amount of damage proven and the number of sheep killed or injured. And in case the owner of the dog or dogs is insolvent, the county or town, as the case may be, shall not pay such damages out of such fund.

Provided, the damages allowed in no event shall exceed fifteen dollars per head for such sheep killed or injured.

§ 10. Any person who shall refuse or neglect to comply with any of the provisions of this Act, shall be fined in any sum not less than five dollars and not more than ten dollars.

§ 2. The title of said Act is hereby amended to read as follows: "An Act provided for the licensing of dogs and for the payment of damages done by dogs to sheep, out of the proceeds of the license fees."

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

SHEEP KILLED—INDEMNITY TO OWNERS.

§ 1. Amends section 5, Act of 1879.

§ 2. As amended, increases amount of damages which may be allowed per head for sheep killed.

(HOUSE BILL No. 15. APPROVED MARCH 28, 1917.)

AN ACT to amend section 5 of an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 5 of an Act entitled, "An Act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879, be amended to read as follows:

§ 5. Any person having sheep killed as aforesaid, shall not be entitled to receive any portion of the fund herein provided for, unless he appear before the supervisor of the town in which the sheep are killed or injured or before a magistrate in counties not under township organization, within forty days after the sheep are killed or injured, and make affidavit, stating the number of sheep killed or injured, the amount of damages and owner or owners of dog or dogs, if known.

All damages shall be proven by not less than two (2) witnesses, who shall be freeholders of the county, and such supervisors or magistrates are hereby authorized to administer oaths in such cases, and shall keep a record in each case of the names of owners and the amount of damages proven and the number of sheep killed or injured. In case the owner of the dog or dogs is solvent, the county or town, as the case may be, shall not pay such damages out of such fund.

Provided, the damages allowed in any event shall not exceed ten (\$10) dollars per head for such sheep killed or injured.

APPROVED March 28, 1917.

APPROPRIATION.

AGRICULTURE—COUNTY FAIRS AND AGRICULTURAL SOCIETIES.

§ 1. Appropriates \$110,000 per annum—
distribution under Act of 1883.

§ 2. How drawn.

(HOUSE BILL No. 610. APPROVED MAY 5, 1917.)

AN ACT making an appropriation for county fairs or other agricultural societies of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred ten thousand dollars (\$110,000) per annum, or so much thereof as may be necessary, be and the same is hereby appropriated to county fairs or other agricultural societies of the State of Illinois, said appropriations to be divided between such county fairs or agricultural societies which have complied with the conditions prescribed by section 7 of an Act entitled, "An Act to revise the law in relation to the Department of Agriculture, agricultural societies and agricultural fairs, and to provide

for reports of the same," approved June 23, 1883, in force July 1, 1883, and all Acts amendatory of said section.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the moneys herein appropriated in favor of the several county fairs or agricultural societies of this State which shall have complied with the provisions of section 7 of the Act referred to herein, and the certificate of the State Board of Agriculture, signed by its president and attested by its secretary and approved by the Governor shall be required by the Auditor of Public Accounts as proof of such compliance.

APPROVED May 5, 1917.

AGRICULTURE—STATE BOARD AND KINDRED SOCIETIES—FIREMANS' ASSOCIATION—GRAND ARMY HALL AND MEMORIAL ASSOCIATION—GRAND ARMY OF THE REPUBLIC.

§ 1. Agricultural appropriation, etc.

(A) State Board of Agriculture,
\$162,280.00.

(B) Bee - Keepers' Association,
\$2,000.00.

(C) Dairymen's Association,
\$5,000.00.

(D) Poultry Association,
\$2,000.00.

(E) Live Stock Breeders' Association, \$3,000.00.

(F) Academy of Science,
\$2,000.00.

(G) Horticultural Society,
\$11,000.00.

(H) Fireman's Association,
\$2,000.00.

(I) Grand Army Hall and Memorial Association,
\$5,000.00.

(J) Grand Army of the Republic, \$2,000.00.

(K) Farmers' Institutes,
\$60,100.00.

§ 2. County Farmers' Institutes.

§ 3. Aid to County Farmers' Institutes.

§ 4. Officer of County Farmers' Institute not to receive compensation.

§ 5. Appropriation how drawn.

(HOUSE BILL NO. 853. APPROVED JUNE 28, 1917.)

AN ACT *making an appropriation in aid of the State Board of Agriculture, the State Bee-Keepers' Association, the Illinois Dairymen's Association, the Illinois State Poultry Association, the Illinois Live Stock Breeders' Association, the Illinois State Academy of Science, the Illinois State Horticultural Society, the Illinois Firemen's Association, the Grand Army Hall and Memorial Association, the Grand Army of the Republic of the Department of Illinois, and the Illinois Farmers' Institute and County Farmers' Institutes.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be and are hereby appropriated to the boards, societies, associations and organizations following, to-wit:

(A) To the State Board of Agriculture the sum of one hundred, sixty-two thousand, two hundred and eighty dollars (\$162,280.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For the salary of the secretary, the sum of	\$ 5,000.00	\$10,000.00
For the salary of chief clerk, the sum of	2,500.00	5,000.00
For the salary of statistician, the sum of	1,320.00	2,640.00
For the salary of stenographer, the sum of	1,200.00	2,400.00
For the salary of shipping clerk, the sum of	1,200.00	2,400.00
For the salary of filing clerk, the sum of	1,000.00	2,000.00
For the salary of janitor, the sum of.	720.00	1,440.00
For the salary of custodian of Fair Grounds, the sum of.....	1,200.00	2,400.00
For the encouragement of an exhibit at the State Fair, the sum of.....	10,000.00	20,000.00
For the maintenance, repairs and care of the Illinois State Fair Grounds and buildings and equipments thereon, the sum of.....	35,000.00	70,000.00
*For the expense of collecting, compiling, and publishing live stock and agricultural statistics, the sum of	1,800.00	3,600.00 [Vetoed]
For office expenses, furniture, repairs, postage, expressage, freight, telephone and telegraph, the sum of..	2,500.00	5,000.00
For traveling expenses of the members and officers of the board, the sum of	5,000.00	10,000.00
For reconstructing the seating capacity in coliseum, the sum of.....		5,000.00
*For additions to grand stand, the sum of		10,000.00 [Vetoed]
*For a Lincoln Log Cabin, to house exhibits of relics, the sum of.....		5,000.00 [Vetoed]
For insurance of State Fair buildings, the sum of.....		5,400.00
Total		\$162,280.00

(B) To the Illinois State Bee-Keepers' Association the sum of two thousand dollars (\$2,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
Printing report, notices and other bee literature.	\$550.00	\$1,100.00
Shorthand reporter and compiling reports.....	200.00	400.00
Postage and express.....	50.00	100.00
Expense of meeting of Illinois State Bee-Keepers' Association	200.00	400.00

Total	\$1,000.00	\$2,000.00
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(C) To the Illinois Dairymen's Association the sum of five thousand dollars (\$5,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
Printing and distributing annual report, the sum of	\$850.00	\$1,700.00
Stenographic work, reporting annual convention.	95.00	190.00
Stationery, the sum of.....	25.00	50.00
Postage and express, the sum of.....	50.00	100.00
Salary of secretary, the sum of.....	300.00	600.00
Expenses of directors, attending annual meeting, the sum of.....	130.00	260.00
Expense on account of annual convention, the sum of	450.00	900.00
Expense on account of one day convention, the sum of	600.00	1,200.00

Total	\$2,500.00	\$5,000.00
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(D) To the Illinois State Poultry Association the sum of two thousand dollars (\$2,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For judges, lectures and expenses for caretakers during show, the sum of.....	\$300.00	\$600.00
For printing catalogs, entry blanks and stationery, the sum of.....	100.00	200.00
Postage and express, the sum of.....	100.00	200.00
For expenses, directors, attending meetings, the sum of	100.00	200.00
Expense on account of show and supplies, the sum of	100.00	200.00
Salary of secretary, the sum of.....	300.00	600.00

Total	\$1,000.00	\$2,000.00
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(E) To the Illinois Live Stock Breeders' Association the sum of three thousand dollars (\$3,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For stenographic work, the sum of.....	\$100.00	\$200.00
For stenographic report of meeting, the sum of.	75.00	150.00
Postage and express, the sum of.....	300.00	600.00

	Per Annum.	Total.
Stationery, the sum of.....	\$ 50.00	\$100.00
Printing, the sum of.....	200.00	400.00
For expense, out of town speakers, the sum of...	125.00	250.00
For cost of putting on live stock judging contests, feed and expense of caretakers, the sum of	400.00	800.00
For prizes offered in judging contests, the sum of	250.00	500.00
Total	\$1,500.00	\$3,000.00

*(F) To the Illinois State Academy of Science the sum of two thousand dollars (\$2,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For printing reports and other publications, the sum of.....	\$750.00	\$1,500.00
For postage, express and stationery, the sum of.....	250.00	500.00

Total \$1,000.00 \$2,000.00 [Vetoed]

(G) To the Illinois State Horticultural Society the sum of eleven thousand dollars (\$11,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
Printing volume and other publications, the sum of	\$1,500.00	\$3,000.00
Salary of secretary, the sum of.....	400.00	800.00
Postage and express, the sum of.....	350.00	700.00
Office rent, the sum of.....	225.00	450.00
Stenographic work, the sum of.....	225.00	450.00
Experiment station, the sum of.....	1,000.00	2,000.00
District and State Society expense.....	650.00	1,300.00
Expense of holding summer meetings and orchard demonstrations	500.00	1,000.00
Expense of executive board, committees and delegates, the sum of.....	650.00	1,300.00
Total	\$5,500.00	\$11,000.00

(H) To the Illinois Firemen's Association the sum of two thousand dollars (\$2,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For printing and distributing of its programs, its annual report of proceedings, organization, postage, stationery, expenses of annual meeting, the dissemination of information pertaining to the business of the organization, the sum of	\$1,000.00	\$2,000.00

Provided, that no part of this appropriation of two thousand dollars (\$2,000.00) shall be used or paid as salary to any officer of the Illinois Firemen's Association.

(I) To the Grand Army Hall and Memorial Association five thousand dollars (\$5,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For two custodians the sum of \$1,000.00 each..	\$2,000.00	\$4,000.00
Furniture and repairs, the sum of.....	500.00	1,000.00
Total	\$2,500.00	\$5,000.00

(J) To the Grand Army of the Republic of the Department of Illinois two thousand dollars (\$2,000.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum.	Total.
For printing and publishing general orders, circular letters, proceedings of the department encampments, and other contingent expenses of a similar nature, and for keeping a permanent record of the soldiers and sailors of the Civil War, the sum of.....	\$1,000.00	\$2000.00

(K) To the Illinois Farmers' Institute and County Farmers' Institutes sixty thousand, one hundred dollars (\$60,100.00) for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

	Per Annum..	Total.
For salary of one stenographer, the sum of	\$1,000.00	\$2,000.00
For salary of messenger, the sum of....	1,000.00	2,000.00
For salary of the secretary of department of household science and general field worker, the sum of.....	1,500.00	3,000.00
For salary of secretary, the sum of....	3,000.00	6,000.00
For postage, the sum of.....	700.00	1,400.00
For typewriter, multigraph and photo supplies, the sum of.....	100.00	200.00
For towels, water and ice, the sum of..	50.00	100.00
For express, the sum of.....	600.00	1,200.00
For freight and drayage[,] the sum of	150.00	300.00
For telephone, the sum of.....	100.00	200.00
For telegraph, the sum of.....	50.00	100.00
*For printing, the sum of.....	450.00	900.00 [Vetoed]
For reporting proceedings of institutes and transcript of same, the sum of..	600.00	1,200.00
For contingency, the sum of.....	100.00	200.00

	Per Annum.	Total.
For the per diem and necessary expenses of expert judges, instructors and speakers furnished by board of directors for county farmers' institutes, farmers' short course in agriculture, farmers' study clubs, and for the necessary expenses in promoting the development of the Farmers' Institute work throughout the State, the sum of.....	\$8,000.00	\$16,000.00
For the actual expenses of the members of the board of directors and officers of the Illinois Farmers' Institute in the performance of their duties as such members and officers, for the expenses of the district conferences and the expenses of the State institute meetings, the sum of.....	5,000.00	10,000.00
For the purpose of holding one or more Farmers' Institute meetings in each of the one hundred and two (102) counties of the State, the sum of \$75.00 each	7,650.00	15,300.00
Total	\$30,050.00	\$60,100.00

And the said Farmers' Institute meetings shall be held at such times and at such places in each county as may be agreed upon by the County Farmers' Institute officers and the directors of the congressional district. The authority doing the public printing and binding shall provide all needful books, papers, stationery and printing on requisition by the secretary of the Illinois Farmers' Institute.

§ 2. If the officers of a county farmers' institute fail to arrange for and hold farmers' institute meetings as provided for in this Act, the board of directors of the Illinois Farmers' Institute through its officers and assistants, may plan, promote, furnish instructors for, and hold such meetings in said county as in the judgment of the board of directors may be beneficial to the agricultural interests of said county; the expense of said meetings shall be paid out of any funds available for that purpose.

§ 3. On the order of the president of the county farmers' institute, approved by the director of the congressional district, the secretary of the Illinois Farmers' Institute shall draw his warrant on the treasurer of the Illinois Farmers' Institute for the said seventy-five dollars (\$75.00) and deliver it to the treasurer of the County Farmers' Institute: *Provided*, that the officers of said County Farmers' Institute shall, when issuing said order, file with the secretary of the Illinois Farmers' Institute a sworn statement which shall show that the said county institutes have held one or more duly advertised public sessions annually in accordance with such rules as are prescribed by the board of directors of

the Illinois Farmers' Institute: *Provided, further*, that if the necessary expenses of a County Farmers' Institute shall not equal the sum of seventy-five dollars (\$75.00) as shown by receipted vouchers submitted with the aforesaid sworn statement, the said warrant shall be drawn only for the sum expended, and final report made to the Governor as provided by law.

§ 4. No officer or officers of a county farmers' institute shall be entitled as such officer or officers to receive any moneyed compensation for any service rendered the same.

§ 5. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the moneys herein appropriated, in favor of the respective boards, societies, associations and organizations hereinbefore mentioned (except the Illinois Farmers' Institute and County Farmers' Institutes) and the Illinois State Horticultural Society upon proper vouchers presented to him, signed by the president of such board[,] society, association or organization, and attested by the secretary of the same, and approved by the Governor; and the State Treasurer is hereby directed to pay said warrants, drawn as aforesaid, out of any funds in the State treasury appropriated for said purposes, respectively, or out of any funds not otherwise appropriated as the case may be. With reference to the sums hereinbefore appropriated to the Illinois Farmers' Institutes and the County Farmers' Institutes, and in accordance with the provisions of section 4 of an Act entitled, "An Act creating the Illinois Farmers' Institute," approved July 1, 1895, and subsequent amendments thereto, the Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sums herein appropriated to the Illinois Farmers' Institute and the County Farmers' Institute, in favor of the treasurer of the Illinois Farmers' Institute, and deliver the same to him upon requisition for same, signed by the president and the secretary of said Illinois Farmers' Institute; and the State Treasurer shall pay the same out of any moneys in the State treasury appropriated for the purposes of said Act as amended.

With reference to the sums hereinbefore appropriated to the Illinois State Horticultural Society, and in accordance with the provisions of section 4 of an Act entitled, "An Act to reorganize the Illinois State Horticultural Society," approved March 24, 1874, the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for sums herein appropriated to the Illinois State Horticultural Society and deliver the same to him upon requisition for same signed by the president and secretary of said Illinois State Horticultural Society and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED (except for those items disapproved in my veto message June 28, 1917).

* Indicates vetoed.

June 28, 1917.

Honorable, the House of Representatives, General Assembly of Illinois.

GENTLEMEN: I return herewith House Bill 853, entitled, "An Act making an appropriation in aid of the State Board of Agriculture; the State Bee-Keepers' Association; the Illinois Dairymen's Association; the Illinois State Poultry Association; the Illinois Live Stock Breeders' Association; the Illinois State Academy of

Science; the Illinois State Horticultural Society; the Illinois Firemen's Association; the Grand Army Hall and Memorial Association; the Grand Army of the Republic of the Department of Illinois, and the Illinois Farmers' Institute and County Farmers' Institutes."

The following items contained therein are disapproved:

Page 3, section 1, the second item from the top of the page, as follows:

Per Annum. Total.

"For the expense of collecting, compiling and publishing live stock and agricultural statistics, the sum of..... \$1,800 \$3,600."

For the reason that this work is to be done by the new Department of Agriculture.

Pages 3 and 4, section 1. I *veto* the last line at the bottom of page 3, and the first, second, third and fourth lines at the top of page 4, as follows:

"For additions to Grand Stand, the sum of.....\$10,000."

"For a Lincoln Log Cabin to house exhibits of relics, the sum of.....\$ 5,000."

Pages 7 and 8, section 1. I *veto* the following item at the bottom of page 7 and the top of page 8:

"(F) To the Illinois State Academy of Science, the sum of two thousand (\$2,000) dollars, for the two years beginning July 1, 1917, and ending June 30, 1919, to be used as follows:

Per Annum. Total.

"For printing reports and other publications, the sum of..... \$750 \$1,500

"For postage, express, and stationery, the sum of..... 250 500

\$1,000 \$2,000."

Page 11, section 1 in Clause (K) for the Farmers' Institute. I *veto* the following item:

Fifth line from the bottom of page 11:

Per Annum. Total.

"For printing, the sum of..... \$450 \$900."

For the reason that the printing is taken care of in a general appropriation to the Director of Agriculture.

Respectfully submitted,

FRANK O. LOWDEN, Governor.

Filed July 3, 1917.

LOUIS L. EMMERSON, Secretary of State.

ATTORNEY GENERAL—DEFICIENCY.

Preamble.

§ 2. How drawn.

§ 1. Appropriates \$85,250.00 for purposes enumerated.

§ 3. Emergency.

(HOUSE BILL NO. 95. APPROVED FEBRUARY 28, 1917.)

AN ACT making additional appropriations to the Attorney General:

WHEREAS, the appropriations heretofore made to the Attorney General to pay assistants or other attorneys to be employed with reference to matters arising in the departments, commissions and boards hereinafter named, and other State agencies, are exhausted, and

WHEREAS, there are numerous cases now pending in the courts which require prompt prosecution or defense and urgent necessity for the investigation and commencement of additional cases and prosecutions arising out of the administration of said departments, commissions, boards and other State agencies, and no funds available for such purposes.

Now, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be, and the same are hereby appropriated to the Attorney General, additional to the appropriations heretofore made to the Attorney General.

For the employment of special assistants, special attorneys, investigators, brief writers and extra help, for court costs in United States courts and State courts, expenses of conducting investigations, preparation and trial of suits and appeals in the United States courts and courts in this and other states for the period ending July 1, 1917.....	\$ 30,000
For special work in connection with submerged lands investigations for the period ending July 1, 1917.....	\$ 7,500
For the employment of assistants and special attorneys for the period ending July 1, 1917, to enable the Attorney General to render necessary legal services with reference to matters arising in departments, commissions, boards and other State agencies, respectively, as follows:	
State Public Utilities Commission:	
Chief counsel.....	\$ 4,000
One assistant.....	\$ 2,500
One assistant.....	\$ 2,500
One assistant.....	\$ 2,500
One assistant.....	\$ 2,500
One assistant.....	\$ 1,750
One assistant.....	\$ 1,500
One assistant.....	\$ 1,500
Insurance Department, one assistant.....	\$ 2,000
Illinois Waterway Commission, one assistant.....	\$ 1,500
Industrial Board, one assistant.....	\$ 1,500
Illinois State Board of Dental Examiners, one assistant.....	\$ 900
Illinois Department of Factory Inspection, one assistant.....	\$ 900
State Food Commissioner, one assistant.....	\$ 900
Board of Pharmacy, one assistant.....	\$ 900
State Board of Health, one assistant.....	\$ 1,250
Board of Live Stock Commissioners, one assistant.....	\$ 900
State Board of Examiners of Architects, and State Board of Examiners of Structural Engineers, one assistant.....	\$ 1,250
For court reporting and stenographic work for attorneys assigned by the Attorney General to departments, boards, commissions and other State agencies.....	\$ 2,500
For the employment of inheritance tax attorneys, exclusive of Chicago	\$ 12,000
For traveling expenses of said assistants or other persons employed as above by the Attorney General.....	\$ 2,500

The respective sums hereby appropriated for the employment of assistants shall constitute full compensation for all services rendered the State by them, respectively, under the directions of the Attorney General, whether for the particular department, commission, board or other State agency, to which they may be assigned, or otherwise. *Provided*, if the Attorney General shall deem it unnecessary or inexpedient to employ and assign an assistant to each of all of said departments, commissions, boards and State agencies, and shall require an assistant regularly assigned to any one of said departments, commissions, boards or agencies to perform services with reference to matters arising in any

two or more of them, the sum of the amounts hereby appropriated for assistants for each of said departments, commissions, boards and agencies so served by one assistant, or so much thereof as may be necessary, shall be available to pay such assistant a reasonable compensation for all services performed by such assistant in matters arising in said departments, commissions, boards and agencies, or otherwise, under his employment by the Attorney General.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the pay of regular assistants on fixed salary, on monthly pay-rolls; for the pay of attorneys specially employed, and for court reporters, stenographers and other employees not on the office pay-rolls, or bills for services accompanied by vouchers duly certified by the Attorney General; for traveling expenses, on presentation of bills accompanied by vouchers certified by the Attorney General showing the expenditure of moneys named in said bills. As to railroad fares, the expense bills shall show from what point to what point traveled and the amount paid for the same.

The State Treasurer shall pay such warrants out of any money in the treasury not otherwise appropriated.

§ 3. Whereas, an emergency exists, therefore this Act shall take effect and be in force from and after its passage.

APPROVED February 28, 1917.

AUDITOR OF PUBLIC ACCOUNTS—DEFICIENCY.

§ 1. Appropriates \$17,650.00.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL NO. 652. APPROVED APRIL 26, 1917.)

AN ACT entitled, "*An Act for an appropriation to meet expenses in the office of the Auditor of Public Accounts to be incurred subsequent to March 1, 1917, and prior to July 1, 1917, and by declaring an emergency.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and the same are hereby appropriated to the Auditor of Public Accounts:

Traveling expenses bank examiners.....	\$ 5,000.00
Traveling expenses building and loan examiners.....	\$ 2,000.00
Salaries of bank examiners.....	\$ 3,000.00
Salaries of building and loan examiners.....	\$ 2,000.00
Premium on employees' bonds.....	\$ 650.00
For examination of books and accounts of State departments.....	\$ 5,000.00

Total\$ 17,650.00

§ 2. The Auditor of Public Accounts is authorized to draw his warrants upon the State Treasurer for the amounts above appropriated, and the Treasurer is authorized and directed to pay the same out of any moneys in the State treasury not otherwise appropriated.

§ 3. Whereas, the sums hereby appropriated are immediately required, therefore an emergency exists and this Act shall take effect from and after its passage and approval.

APPROVED April 26, 1917.

BARBERS STATE BOARD OF EXAMINERS.

§ 1. Appropriates \$1,000.00.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL NO. 190. APPROVED JUNE 23, 1917.)

AN ACT to make an appropriation for conducting business of the State, through the Barbers' State Board of Examiners until July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand (\$1,000.00) dollars be, and hereby is appropriated to the Barbers' State Board of Examiners, to conduct business of the State through such board, until July 1, 1917.

§ 2. Upon presentation of proper vouchers certified by the president and secretary of the Barbers' State Board of Examiners and approved by the Governor, the Auditor of Public Accounts shall draw his warrants upon the State Treasurer for the sum herein appropriated, or so much thereof as shall be necessary, to conduct business of the State through the Barbers' State Board of Examiners, until July 1, 1917, and the State Treasurer is authorized and directed to pay the same out of any moneys in the State treasury not otherwise appropriated.

§ 3. Whereas, an emergency exists; therefore, this Act shall take effect and be in full force from and after its passage and approval.

APPROVED June 23, 1917.

BOARD OF ADMINISTRATION FOR STATE CHARITABLE INSTITUTIONS.

§ 1. Appropriates \$551,520.92 for expenses, repairs and improvements.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL NO. 654. APPROVED JUNE 29, 1917.)

AN ACT making additional appropriations to the Board of Administration for the State charitable institutions.

WHEREAS, certain appropriations heretofore made to the Board of Administration for the State charitable institutions have been, or will be exhausted by July 1, 1917, and

WHEREAS, it is important that these institutions be provided with necessary funds for their ordinary operating expenses, ordinary repairs and improvements, and working capital up to July 1, 1917, and to pay bills covering work contracted for, now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five hundred fifty-one thousand, five hundred twenty and 92/100 dollars (\$551,520.92), or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be, and the same is hereby appropriated to the Board of Administration for the State charitable institutions, additional to the appropriations heretofore made to the Board of Administration as follows:

For a deficiency in the appropriation for the ordinary operating expenses of the State charitable institutions to and including June 30, 1917,....\$471,500.00

- For a deficiency in the appropriation for the erection of buildings, other improvements, supervision and care of property, at the State Colony for Epileptics, to and including June 30, 1917, . . . \$ 30,176.00
- For a deficiency in the appropriation for water supply from the river at the Watertown State Hospital, \$ 6,500.00
- For a deficiency in the funds to pay for rock encountered and additional work by sewer and water main contractors at the State Colony for Epileptics, \$ 20,000.00
- * For a deficiency in the appropriation for working capital fund at the Illinois Industrial Home for the Blind, at Chicago, \$ 18,000.00 [Vetoed]
- For the Chicago State Hospital, to the Chicago, Milwaukee and St. Paul Railroad Company for labor and material furnished in the construction of 1889 feet of side track, \$ 5,344.92

§ 2. All moneys above appropriated shall be due and payable to the Board of Administration, or to its order, only on the terms and in the manner provided for in "An Act to revise the laws relating to charities," approved June 11, 1912.

§ 3. Whereas, an emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED as to all except the item for eighteen thousand dollars (\$18,000.00) opposite which words "Item Vetoed" are written June 25, 1917.

* Indicates vetoed.

STATE OF ILLINOIS.
EXECUTIVE DEPARTMENT.
SPRINGFIELD, June 25, 1917.

To the Honorable, the House of Representatives:

I return herewith House Bill No. 654, the same being a bill for "An Act making additional appropriations to the Board of Administration for the State charitable institutions."

I veto the following item:

"For a deficiency in the appropriation for working capital fund for the Illinois Home for the Blind at Chicago, \$18,000.00."

I veto this item for the reason that the work-shop is closed, and it will be impossible to spend this money.

I approve of each of the other items of this bill.

Respectfully submitted,

FRANK O. LOWDEN, Governor.

BUILDING OF BRIDGES ON STATE PROPERTY IN WILL COUNTY.

§ 1. Bridges, State property, Will County. § 3. How drawn.

§ 2. Appropriates \$20,000.00.

(SENATE NO. 579. FILED JUNE 29, 1917.)

AN ACT to provide for the building of bridges on State property in Will County to replace bridges washed out by floods, and to make an appropriation therefor.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the Department of Public

Works and Buildings be and it is hereby authorized and directed to build necessary bridges to replace the bridges washed out by the floods in January, 1916, heretofore built and maintained by the State, upon State property, over the Dupage River and Illinois and Michigan Canal in connection with the Illinois and Michigan Canal, in Channahon township, Will county, and to repair other bridges across said Illinois and Michigan Canal.

§ 2. For the purpose of carrying out the provisions of this Act, the sum of twenty thousand (\$20,000) dollars is hereby appropriated.

§ 3. Upon the presentation to the Auditor of Public Accounts, of proper vouchers, as provided by law, said auditor is authorized and directed to draw his warrants upon the State Treasurer, payable to the Department of Public Works and Buildings, in amounts not exceeding in the aggregate the sum herein appropriated, and the State Treasurer is authorized and directed to pay the same out of any funds in the State treasury not otherwise appropriated.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CENTENNIAL MEMORIAL BUILDING.

§ 1. Location and purpose of building—to cost \$850,000.00—Secretary of State custodian.

§ 3. Appropriation of \$100,000.00 for plans and construction.

§ 2. Advisory Commission to Director of Public Works and Buildings—Centennial Celebration.

§ 4. Vouchers to be certified by Director of Public Works and Buildings—approved by Governor.

(SENATE BILL NO. 611. APPROVED JUNE 25, 1917.)

AN ACT to provide for the erection of a centennial memorial building on the Capitol grounds and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a centennial memorial building shall be erected in the city of Springfield on the grounds south of the Capitol building purchased by the Centennial Building Commission and to cost when completed approximately eight hundred fifty thousand dollars (\$850,000). Said building shall be planned to provide for a memorial hall, a Lincoln memorial room, State library, State Historical library, State museum, a repository for State archives, Department of Public Instruction and such other departments as may be determined by those having the work in charge. The centennial memorial building, when completed, shall be in the custody of the Secretary of State.

§ 2. The Director of Public Works and Buildings, with the advice of an advisory Centennial Building Commission of seven (7) members to be composed of the Governor, President of the Senate, Speaker of the House of Representatives, Secretary of State and three other members to be appointed by the Governor, shall determine the exact location of the building on the grounds hertofore specified and shall select and approve the plans and specifications for the building and have super-

vision of its construction. The work shall be advanced so that the laying of the corner stone of the centennial memorial building may be a feature of the centennial celebration of the admission of Illinois into the Federal Union.

§ 3. There is hereby appropriated to the Department of Public Works and Buildings for the preparation of plans and specifications and other necessary expenses, and for the construction of the centennial memorial building, the sum of one hundred thousand dollars (\$100,000).

§ 4. The Auditor of Public Accounts is authorized and directed to draw his warrant on the State Treasurer for the sum specified upon the presentation of proper vouchers certified to by the Director of Public Works and Buildings and approved by the Governor, and the State Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED June 25, 1917.

CHARITABLE—STATE INSTITUTIONS.

- | | |
|---|---|
| § 1. Appropriates \$10,292,663.00. | § 6. Appropriation \$22,000.00, Alton Railroad assessments. |
| § 2. Appropriates \$877,300.00 for lands. | § 7. Appropriation \$35,000.00, for purchase of switch track connections. |
| § 3. Terms defined. | § 8. Requisitions—how drawn. |
| § 4. Contingent fund, Act of 1912. | § 9. Warrants—how drawn. |
| § 5. Appropriation \$12,000.00, for paving. | |

(HOUSE BILL NO. 909. FILED JULY 3, 1917.)

AN ACT *making appropriations for the State Charitable institutions.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the ordinary operation, maintenance expenses, and equipment of the State Charitable institutions for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of ten million two hundred ninety-two thousand six hundred sixty-three dollars (\$10,292,663) for the following objects and purposes:

Classification.	First Year.	Second Year.
For salaries and wages.....	\$1,960,566.00	\$2,023,216.00
For departmental office expenses.....	41,090.00	41,415.00
For traveling expenses	17,160.00	17,460.00
For operating supplies and expenses.....	2,529,920.00	2,602,714.00
For industrial working capital, Illinois		
Industrial Home for the Blind.....	64,600.00	64,600.00
For school supplies.....	2,500.00	2,500.00
For repairs to present buildings, grounds		
and equipment.....	\$ 371,250.00	358,250.00
For equipment	\$ 141,772.00	\$ 53,650.00

The appropriation for operation, maintenance expenses, and equipment herein made shall be apportioned among the several State char-

itable institutions as nearly as possible in the several amounts and for the several purposes set forth below:

ELGIN STATE HOSPITAL.

Classification.	First Year.	Second Year.
Salaries and wages.....	\$149,820.00	\$153,760.00
Departmental office expenses.....	\$ 3,100.00	\$ 3,300.00
Traveling expenses.....	\$ 1,000.00	\$ 1,100.00
Operating supplies and expenses.....	\$188,750.00	\$193,400.00
Repairs to present buildings, grounds and equipment	\$ 25,000.00	\$ 25,000.00
Equipment	\$ 3,650.00	\$ 3,250.00

KANKAKEE STATE HOSPITAL.

Salaries and wages.....	\$226,820.00	\$231,760.00
Departmental office expenses.....	\$ 3,800.00	\$ 3,900.00
Traveling expenses.....	\$ 1,500.00	\$ 1,500.00
Operating supplies and expenses.....	\$326,900.00	\$336,800.00
Repairs to present buildings, grounds and equipment	\$ 60,000.00	\$ 60,000.00
Equipment	\$ 7,300.00	\$ 4,800.00

STATE PSYCHOPATHIC INSTITUTE.

Salaries and wages.....	\$ 15,336.00	\$ 15,396.00
Departmental office expenses.....	\$ 190.00	\$ 265.00
Traveling expenses.....	\$ 360.00	\$ 360.00
Operating supplies and expenses.....	\$ 1,050.00	\$ 1,050.00
Equipment	\$ 500.00	\$ 500.00

JACKSONVILLE STATE HOSPITAL.

Salaries and Wages.....	\$149,820.00	\$153,760.00
Departmental office expenses.....	\$ 3,100.00	\$ 3,100.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Operating supplies and expenses.....	\$208,850.00	\$213,650.00
Repairs to present buildings, grounds and equipment	\$ 25,000.00	\$ 25,000.00
Equipment	\$ 3,650.00	\$ 3,250.00

ANNA STATE HOSPITAL.

Salaries and wages.....	\$141,820.00	\$143,760.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Departmental office expenses.....	\$ 3,300.00	\$ 3,300.00
Operating supplies and expenses.....	\$184,050.00	\$186,100.00
Repairs on present buildings, grounds and equipment	\$ 25,000.00	\$ 25,000.00
Equipment	\$ 5,150.00	\$ 3,250.00

WATERTOWN STATE HOSPITAL.

Classification.	First Year.	Second Year.
Salaries and wages.....	\$129,820.00	\$131,760.00
Departmental office expenses.....	\$ 3,000.00	\$ 3,100.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Operating supplies and expenses.....	\$166,250.00	\$168,350.00
Repairs on present buildings, grounds and equipment	\$ 24,000.00	\$ 24,000.00
Equipment	\$ 5,650.00	\$ 3,250.00

PEORIA STATE HOSPITAL.

Salaries and wages.....	\$159,820.00	\$163,760.00
Departmental office expenses.....	\$ 3,500.00	\$ 3,500.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Operating supplies and expenses.....	\$240,950.00	\$246,050.00
Repairs on present buildings, grounds and equipment	\$ 48,000.00	\$ 40,000.00
Equipment	\$ 4,250.00	\$ 3,850.00

CHESTER STATE HOSPITAL.

Salaries and wages.....	\$ 29,000.00	\$ 29,500.00
Departmental office expenses.....	\$ 600.00	\$ 600.00
Traveling expenses.....	\$ 600.00	\$ 600.00
Operating supplies and expenses.....	\$ 22,200.00	\$ 22,200.00
Repairs on present buildings, grounds and equipment	\$ 3,000.00	\$ 3,000.00
Equipment	\$ 1,050.00	\$ 750.00

CHICAGO STATE HOSPITAL.

Salaries and wages.....	\$226,820.00	\$231,760.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Operating supplies and expenses.....	\$325,300.00	\$335,400.00
Departmental office expenses.....	\$ 5,000.00	\$ 5,000.00
Repairs on present buildings, grounds and equipment	\$ 50,000.00	\$ 50,000.00
Equipment	\$ 22,700.00	\$ 3,950.00

ALTON STATE HOSPITAL.

Salaries and wages.....	\$ 40,180.00	\$ 47,180.00
Traveling expenses.....	\$ 400.00	\$ 500.00
Departmental office expenses.....	\$ 400.00	\$ 400.00
Operating supplies and expenses.....	\$ 75,100.00	\$ 73,000.00
Equipment	\$ 3,700.00	\$ 3,300.00

LINCOLN STATE SCHOOL AND COLONY.

Classification.	First Year.	Second Year.
Salaries and wages.....	\$141,200.00	\$148,200.00
Departmental office expenses.....	\$ 2,500.00	\$ 2,600.00
Traveling expenses.....	\$ 1,000.00	\$ 1,000.00
Operating supplies and expenses.....	\$205,050.00	\$217,050.00
School supplies.....	\$ 500.00	\$ 500.00
Repairs on present buildings, grounds and equipment	\$ 30,000.00	\$ 30,000.00
Equipment	\$ 4,950.00	\$ 3,250.00

STATE COLONY FOR EPILEPTICS.

Salaries and wages.....	\$ 32,160.00	\$ 40,120.00
Departmental office expenses.....	\$ 600.00	\$ 350.00
Traveling expenses.....	\$ 250.00	\$ 250.00
Operating supplies and expenses.....	\$ 41,200.00	\$ 55,950.00
Equipment	\$ 32,230.00	\$ 3,800.00

ILLINOIS SCHOOL FOR THE DEAF.

Salaries and wages.....	\$ 95,800.00	\$ 96,800.00
Departmental office expenses.....	\$ 1,200.00	\$ 1,200.00
Traveling expenses.....	\$ 500.00	\$ 500.00
Operating supplies and expenses.....	\$ 49,500.00	\$ 49,500.00
School supplies.....	\$ 600.00	\$ 600.00
Repairs on present buildings, grounds and equipment	\$ 10,000.00	\$ 10,000.00
Equipment	\$ 1,500.00	\$ 1,100.00

ILLINOIS SCHOOL FOR THE BLIND.

Salaries and wages.....	\$ 55,400.00	\$ 56,400.00
Departmental office expenses.....	\$ 1,200.00	\$ 1,200.00
Traveling expenses.....	\$ 200.00	\$ 200.00
Operating supplies and expenses.....	\$ 29,650.00	\$ 29,650.00
Repairs on present buildings, grounds and equipment	\$ 10,000.00	\$ 5,000.00
Equipment	\$ 8,507.00	\$ 1,100.00

ILLINOIS INDUSTRIAL HOME FOR THE BLIND.

Salaries and wages.....	\$ 16,750.00	\$ 17,000.00
Departmental office expenses.....	\$ 750.00	\$ 750.00
Traveling expenses.....	\$ 100.00	\$ 100.00
Operating supplies and expenses.....	\$ 19,250.00	\$ 19,250.00
Working capitol.....	\$ 64,600.00	\$ 64,600.00
Repairs on present buildings, grounds and equipment	\$ 1,750.00	\$ 1,750.00
Equipment	\$ 200.00	\$ 200.00

ILLINOIS SOLDIERS' AND SAILORS' HOME.

Classification.	First Year.	Second Year.
Salaries and wages.....	\$107,200.00	\$113,200.00
Departmental office expenses.....	2,200.00	\$ 2,200.00
Traveling expenses.....	\$ 250.00	\$ 250.00
Operating supplies and expenses.....	\$145,550.00	\$145,550.00
Repairs on present buildings, grounds and equipment	\$ 24,800.00	\$ 24,800.00
Equipment	\$ 2,200.00	\$ 1,800.00

SOLDIERS' WIDOWS' HOME OF ILLINOIS.

Salaries and wages.....	\$ 15,000.00	\$ 15,500.00
Departmental office expenses.....	\$ 450.00	\$ 450.00
Traveling expenses.....	\$ 200.00	\$ 200.00
Operating supplies and expenses.....	\$ 16,605.00	\$ 16,605.00
Repairs on present buildings, grounds and equipment	\$ 2,750.00	\$ 2,750.00
Equipment	\$ 200.00	\$ 200.00

ILLINOIS SOLDIERS' ORPHANS' HOME.

Salaries and wages.....	\$ 45,300.00	\$ 49,300.00
Departmental office expenses.....	\$ 1,200.00	\$ 1,200.00
Traveling expenses.....	\$ 300.00	\$ 300.00
Operating supplies and expenses.....	\$ 59,050.00	\$ 62,850.00
School supplies.....	\$ 500.00	\$ 500.00
Repairs on present buildings, grounds and equipment	\$ 5,000.00	\$ 5,000.00
Equipment	\$ 5,635.00	\$ 1,300.00

ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.

Salaries and wages.....	\$ 43,000.00	\$ 39,000.00
Departmental office expenses.....	\$ 1,200.00	\$ 1,200.00
Traveling expenses.....	\$ 100.00	\$ 100.00
Operating supplies and expenses....	\$ 40,465.00	\$ 40,059.00
Repairs on present buildings, grounds and equipment.....	\$ 3,950.00	\$ 3,950.00
*Equipment	\$ 24,100.00 [Vetoed]	\$ 6,100.00

STATE TRAINING SCHOOL FOR GIRLS.

Salaries and wages.....	\$ 58,300.00	\$ 59,300.00
Departmental office expenses.....	\$ 1,500.00	\$ 1,500.00
Traveling expenses.....	\$ 1,600.00	\$ 1,600.00
Operating supplies and expenses.....	\$ 61,300.00	\$ 61,300.00
School supplies.....	400.00	\$ 400.00
Repairs on present buildings, grounds and equipment	\$ 11,000.00	\$ 11,000.00
Equipment	\$ 1,650.00	\$ 1,650.00

ST. CHARLES SCHOOL FOR BOYS.

Classification.	First Year.	Second Year.
Salaries and wages.....	\$ 80,500.00	\$ 86,000.00
Departmental office expenses.....	\$ 2,300.00	\$ 2,300.00
Traveling expenses.....	\$ 3,800.00	\$ 4,000.00
Operating supplies and expenses.....	\$122,900.00	\$128,950.00
School supplies.....	\$ 500.00	\$ 500.00
Repairs on present buildings, grounds and equipment	\$ 12,000.00	\$ 12,000.00
Equipment	\$ 3,000.00	\$ 3,000.00

The Director of Public Welfare, in writing, with the approval, in writing, of the Director of Finance, may apportion the amounts stated in the several items among the several State charitable institutions, according to the varying needs of such institutions, not changing, however, the objects or purposes for which such appropriations are herein made.

§ 2. There is hereby appropriated, for lands, buildings, and other permanent improvements at the State charitable institutions for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of eight hundred seventy-seven thousand three hundred dollars (\$877,300), for the following objects and purposes:

THE ELGIN STATE HOSPITAL.

For converting old engine room into kitchen.....	\$ 3,500.00
For coal shed and pit.....	\$ 5,500.00

THE JACKSONVILLE STATE HOSPITAL.

*For addition to tubercular cottage for females...\$ 15,000.00 [Vetoed]

THE ANNA STATE HOSPITAL.

*For brick road from Anna State Hospital to limits
of the city of Anna.....\$ 47,000.00 [Vetoed]

THE WATERTOWN STATE HOSPITAL.

For remodeling old chapel for dining room.....	\$ 3,500.00
For plumbing	\$ 5,000.00

THE PEORIA STATE HOSPITAL.

For plumbing	\$ 12,000.00
For electric transmission line to farm.....	\$ 1,500.00

THE CHESTER STATE HOSPITAL.

For butcher shop.....	\$ 1,000.00
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THE CHICAGO STATE HOSPITAL.

For sidewalks, pavements, gutters and other improvements about the grounds.....	\$ 3,000.00
For new floor in laundry.....	\$ 1,500.00
For vacuum heating in hospital and cottage wards.....	\$ 10,000.00
For new sewer outlet.....	\$ 20,000.00
For barn to replace two destroyed by fire.....	\$ 7,500.00
For connecting domestic heater.....	\$ 5,000.00

THE ALTON STATE HOSPITAL.

For Macadam roads.....	\$ 10,000.00
For cement walks.....	\$ 3,000.00
For grading	\$ 5,000.00

THE LINCOLN STATE SCHOOL AND COLONY.

*For receiving cottage.....	\$30,000.00 [Vetoed]
For custodial cottage for delinquent women.....	\$ 15,000.00
For horse barn and sheds.....	\$ 5,000.00
For building for infants and small children....	\$ 30,000.00
For building for tubercular patients.....	\$ 20,000.00
For plumbing north hospital, girls' cottage and central building and wiring girls' and boys' cottage	\$ 15,000.00

THE STATE COLONY FOR EPILEPTICS.

For light, power, service wiring and outside wiring lighting..	\$ 26,000.00
For interior power house [wiring] wiring.....	\$ 1,600.00
For roads and gutters.....	\$ 10,000.00
For cement walks.....	\$ 5,000.00
For grading	\$ 4,000.00
For steam, water, electric and sewer connections.....	\$ 2,000.00

THE ILLINOIS SCHOOL FOR THE BLIND.

For addition to print shop.....	\$ 700.00
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THE ILLINOIS INDUSTRIAL HOME FOR THE BLIND.

For finishing fourth floor.....	\$ 7,500.00
For electric wiring.....	\$ 2,500.00

THE ILLINOIS SOLDIERS' ORPHANS' HOME.

For remodeling main building.....	\$ 7,500.00
For cottage	\$ 20,000.00
For septic tank and sewers.....	\$ 1,000.00
For city water connections.....	\$ 4,500.00

THE ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.

For buildings	\$360,000.00
For land	\$145,000.00

THE STATE TRAINING SCHOOL FOR GIRLS.

For tiling farm.....	\$ 500.00
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THE ST. CHARLES SCHOOL FOR BOYS.

For additional toilet room facilities.....	\$ 5,500.00
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§ 3. The term "Salaries and Wages" as used in this Act shall mean and include salaries, wages and other compensation for personal service.

The term "Departmental Office Expense" as used in this Act shall mean and include postage, telephone, telegraph, rent, office supplies, express, freight, drayage, printing and binding; for departments and institutions.

The term "Traveling Expenses" as used in this Act shall mean and include railroad fares, hotel bills, livery hire, street car fares and similar personal expenses incurred wholly in the State service.

The term "Operating Supplies and Expenses" as used in this Act, shall mean and include fuel, food, wearing apparel, household supplies, plant and departmental supplies and institutional operating expenses.

The term "Industrial Working Capital" as used in this Act shall mean and include all supplies, piece work, labor and expense in connection with the industrial operations (raw materials, industrial supplies, ect.,[etc.,]) of the State institutions, the State parks, and canals.

The term "School Supplies" as used in this Act shall mean and include supplies for distinctly educational purposes, and not included in other classes.

The term "Repairs on present Buildings, Grounds and Equipment" as used in this Act shall mean and include replacements, but not betterments. Such repairs may be made under contract in whole or in part, or may be by the direct use of labor, materials and service.

The term "Equipment" as used in this Act shall mean and include equipment of permanent value, including furniture, fixtures, machinery, scientific apparatus, live stock, vehicles, maps, books, educational equipment and recreational equipment.

The term "Buildings," as used in this Act shall mean and include expenditures for the construction of new buildings and additions to old ones, new fences, tunnels, sidewalks, drainage ditches, pavements, walls and other permanent improvements, either in whole or in part, and including the designing of such structures and the supervision of construction. Such construction may be under contract, in whole or in part, or may be by the direct use of labor, materials and service.

§ 4. The contingent fund provided for in section 16 of "An Act to revise the laws relating to charities, approved June 11, 1912, shall be payable from the appropriation for operating supplies and expenses, as given in section 1 of this Act, and as defined in section 3 of this Act.

§ 5. There is hereby appropriated for the Chicago State Hospital for paying Irving Park Boulevard, the sum of twelve thousand (\$12,000.00) dollars, being the sum appropriated in and by "An Act making appropriations for the State charitable institutions," approved June 29, 1915.

§ 6. There is hereby appropriated for the Alton State Hospital for subway and railroad crossing assessments, the sum of twenty-two thousand dollars, (\$22,000.00), being the sum appropriated in and by "An Act making appropriations for the State charitable institutions," approved June 29, 1915.

§ 7. There is hereby appropriated for the Peoria State Hospital for the purchase of Sholl Brothers of the switch track connecting said hospital with the tracks of the Peoria and Pekin Union Railway Company the sum of thirty-five thousand dollars (\$35,000.00), same to be paid upon delivery deed, with a condition that Sholl Brothers may use said track for carrying coal from mines adjoining for a period not exceeding ten (10) years.

§ 8. The Director of Public Welfare shall draw requisitions upon the Director of Public Works and Buildings for supplies, materials and services for the construction and repairs of buildings, and for the purchase of land, under the appropriations made herein, and the Director of Public Works and Buildings is authorized to incur obligations and make contracts under the appropriations herein, as specified in sections 49 and 51 of the Civil Administrative Code.

§ 9. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer under the appropriations made herein, upon the presentation of vouchers certified to as correct by the Director of the Department of Public Works and Buildings, and the Director of the Department of Public Welfare, and approved by the Director of Finance.

APPROVED (except as to those items disapproved in my veto message) June 29, 1917.

* Indicates vetoed.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.
SPRINGFIELD, June 28, 1917.

To the Honorable, the House of Representatives:

I return to you herewith House Bill No. 909, entitled "An Act making appropriations for the State Charitable Institutions."

I hereby disapprove and veto the following items therein contained:

ILLINOIS CHARITABLE EYE AND EAR INFIRMARY.

Section 1, p. 8, 2d line from the bottom of the page, for the Illinois Charitable Eye and Ear Infirmary, "Equipment, \$24,100" for the first year.

JACKSONVILLE STATE HOSPITAL.

Section 2, p. 10, lines 11, 10, and 9, from the bottom of the page, as follows: "The Jacksonville State Hospital for addition to tubercular cottage for females, \$15,000."

ANNA STATE HOSPITAL.

Section 2, p. 10, lines 8, 7, and 6, from the bottom of the page, as follows: "The Anna State Hospital for brick road, from Anna State Hospital to limits of the city of Anna, \$47,000."

LINCOLN STATE SCHOOL AND COLONY.

Section 2, p. 11, the following items appropriated for the Lincoln State School and Colony, 7th line from the bottom of page 11, "For receiving cottage, \$30,000."

Respectfully submitted,

FRANK O. LOWDEN, *Governor*.

Filed July 3, 1917.

LOUIS L. EMMERSON, *Secretary of State*.

CHARITIES—RESTORATION OF DOMESTIC BUILDING AND LAUNDRY AT PEORIA HOSPITAL

Preamble.

§ 2. How drawn.

§ 1. Appropriates \$40,000.00.

§ 3. Emergency.

(HOUSE BILL NO. 494. APPROVED MARCH 28, 1917.)

AN ACT *making an appropriation to the Board of Administration to restore the domestic building and the laundry equipment at the Peoria State Hospital, destroyed by fire.*

WHEREAS, On February 24, 1917, the domestic building and the laundry equipmnt at the Peoria State Hospital were destroyed by fire, and

WHEREAS, It is imperative that the building and equipment be restored as soon as possible, and

WHEREAS, There are no funds available for these purposes in the appropriations made to the Board of Administration,

Now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of forty thousand dollars, (\$40,000.00), or so much thereof as may be necessary, be, and the same is hereby appropriated to the Board of Administration for restoring the domestic building and the laundry equipment at the Peoria State Hospital, destroyed by fire.

§ 2. All moneys above appropriated shall be due and payable to the Board of Administration, or to its order, only on the terms and in the manner provided for in "An Act to revise the laws relating to charities," approved June 11, 1912.

§ 3. Whereas, an emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED March 28, 1917.

CLAIMS AGAINST STATE.

§ 1. Appropriations for the payment of certain claims.	(22) Anthony Koechley.
(1) Albert Thies.	(23) C. F. O'Conner.
(2) Louis B. Anderson.	(24) Henry L. Whipple.
(3) Fred Grant.	(25) E. F. Hazell.
(4) Frank W. McGlenn Est.	(26) W. F. Whalen.
(5) W. W. Looney.	(27) T. C. P. Pruyn.
(6) Henry Henke.	(28) B. A. Smith.
(7) William Kennedy.	(29) N. W. Cox.
(8) Sydney Glass.	(30) John J. Coffee.
(9) Amelia Appel.	(31) Amos Sawyer.
(10) Frank N. Hill.	(32) Hugh Cain.
(11) David Deane.	(33) Charles Balsley.
(12) Andrew Holmes.	(34) Mary Bince McMurray.
(13) Simon Berg.	(35) Lewis Gurley.
(14) Harry M. Kistner Est.	(36) William T. Joos.
(15) James and Lillian Shaughnessy.	(37) Oscar S. Watkins.
(16) May Davy.	(38) James Kent Venner Est.
(17) Eliza W. Baker.	(39) Fred H. Gillett.
(18) Frank J. Burns.	(40) M. Hayes.
(19) Thomas S. Hogan.	(41) A. G. Johnson.
(20) Elijah N. Zoline.	(42) Roscoe L. Drennan.
(21) John Huenig.	(43) A. D. Fleury.

(HOUSE BILL No. 726. APPROVED JUNE 28, 1917.)

AN ACT to make appropriations for certain claims against the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be and the same are hereby appropriated to the persons named below, for claims as follows:

(1) To Albert Thies, as compensation for injuries received at the Northern Illinois Hospital for the Insane at Elgin, Illinois, on the 5th day of November, 1914, to meet balance of award made by the Industrial Board, the sum of.....\$	750.51
*(2) To Louis B. Anderson, as damages for injuries received August 1, 1914, while in the discharge of his duties as a member of the Illinois National Guard at Camp Lincoln, the sum of.....	1,000.00 [Vetoed]

(3)	To Fred Grant, for injuries received at the Lincoln State School and Colony, December 4, 1914, in conformity with an award made by the Industrial Board, the sum of.	\$ 250.00
* (4)	To the personal representative of the estate of Frank W. McGlenn, for the purpose of paying the loss on account of the death of Frank W. McGlenn, who was killed by reason of an unguarded dam located in the Illinois and Michigan Canal at the City of Joliet, the sum of.....	2,000.00 [Vetoed]
(5)	To W. W. Looney, for personal injuries inflicted upon him by an inmate of the Chester State Hospital, on the 27th day of July, 1914, in payment of an award made by the Industrial Board, the sum of	317.50
* (6)	To Henry Henke, for the payment of damages and compensation for permanent injuries received while working as a painter at Lincoln Park in the service of the State of Illinois, the sum of.....	1,500.00 [Vetoed]
(7)	To William Kennedy, for cost and expenses as Deputy Sheriff of McLean County in returning Howard Campbell, a fugitive from justice, from Tulsa, Oklahoma to Bloomington, Illinois, upon a requisition issued by the Governor of Illinois but waived by said fugitive, the sum of.....	103.36
* (8)	To Sydney Glass, for injuries sustained on Douglas Boulevard, near Spaulding Avenue, in the West Park System in Chicago, under the control of the State of Illinois, the sum of.....	1,000.00 [Vetoed]
* (9)	To Amelia Appel, for loss sustained because of the drowning of her daughter Freida Reidel, in the public swimming pool or lagoon at Starved Rock Park, on July 6, 1916, the sum.....	3,000.00 [Vetoed]
* (10)	To Frank N. Hill, City Marshal of the City of Chenoa, McLean County, for injuries sustained on July 21, 1915, while engaged in the search for inmates who had escaped from the Illinois State Reformatory, the sum of.....	750.00 [Vetoed]
* (11)	To David Deane, for personal injuries received while in the service of the state as a manual training instructor at the Illinois State Reformatory, on January 12, 1917, the sum of.....	750.00 [Vetoed]

- (12) To Andrew Holmes, for moneys expended in the discharge of his duties as a police officer, in returning a prisoner from the State of Connecticut to the State of Illinois, in accordance with the recommendation of the Court of Claims in an opinion filed in the October Term of such court, A. D. 1916, the sum of.....\$ 160.12
- * (13) To Simon Berg, for compensation for injuries sustained while in the discharge of his duties as Superintendent of Farms for the Elgin State Hospital, the sum of.... 1,000.00 [Vetoed]
- * (14) To the duly appointed and qualified legal representative of Harry M. Kistner, for the death of Harry M. Kistner, through scalding while an inmate of the Elgin State Hospital, on February 14, 1917, the sum of..... 1,000.00 [Vetoed]
- * (15) To James Shaughnessy and Lillian Shaughnessy, on account of loss sustained through the death on October 10, 1915, of Edward Shaughnessy, a child between the ages of 8 and 9 years, who was injured on October 9, 1915, through the negligence of the Board of Commissioners of Lincoln Park, the sum of..... 2,000.00 [Vetoed]
- * (16) To May Davy, for damages resulting from the death of her husband Harry Davy, killed while in the performance of his duty as a guard at the Joliet Penitentiary, the sum of..... 2,500.00 [Vetoed]
- (17) To Eliza W. Baker, widow of Frank Baker, for payment of salary of Frank Baker, from July 9, 1916, until December 1, 1916, the sum of..... 2,170.58
- * (18) To Frank J. Burns, award of Court of Claims at December Term, 1916, on account of legal services and expenses in inheritance tax work from May 1, 1915, to November 1, 1916, the sum of..... 2,499.33 [Vetoed]
- * (19) To Thomas S. Hogan, award of Court of Claims at December Term, 1916, on account of legal services rendered Illinois State Board of Health from July 1, 1915, to January 1, 1916, the sum of..... 1,250.00 [Vetoed]

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| *(20) | To Elijah N. Zoline, award of Court of Claims at December Term, 1916, for balance of attorney's fee in suit of People of the State of Illinois ex rel Edward F. Dunne, Governor, and Patrick J. Lucey, Attorney General, v. The Economy Light and Power Company, the sum of.....\$ | 500.00 [Vetoed] |
| *(21) | To John Huenig, award of Court of Claims at December Term, 1916, for salary due as member of State Board of Examiners of Horseshoers from February, 1916, to March, 1917,—80 days @ \$3.50 per day,—the sum of..... | 280.00 [Vetoed] |
| *(22) | To anthony Koechley, award of Court of Claims at December Term, 1916, for salary due as member of State Board of Examiners of Horseshoers from February, 1916, to March, 1917,—80 days @ \$3.50 per day—the sum of..... | 280.00 [Vetoed] |
| *(23) | To C. F. O'Connor, award of Court of Claims at December Term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the years 1914, 1915 and 1916, the sum of..... | 111.95 [Vetoed] |
| *(24) | To Henry L. Whipple, award of Court of Claims at December Term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the years 1914 and 1915, the sum of..... | 312.72 [Vetoed] |
| *(25) | To E. F. Hazell, award of Court of Claims at December Term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the year 1914, the sum of..... | 304.70 [Vetoed] |
| *(26) | To W. F. Whalen, award of Court of Claims at December Term, 1916, for salary as member of Illinois State Board of Dental Examiners for the year 1914, the sum of..... | 279.35 [Vetoed] |
| *(27) | To C. P. Pruyn, award of Court of Claims at December Term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the year 1914, the sum of | 170.40 [Vetoed] |
| *(28) | To B. A. Smith, award of Court of Claims at December Term, 1916, for salary due as member of the Illinois State Board of Dental Examiners for the years 1914 and 1915 the sum of..... | 518.57 [Vetoed] |

* (29)	To N. W. Cox, award of Court of Claims at December Term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the years 1914 and 1915, the sum of.....\$	552.73 [Vetoed]
* (30)	To John J. Coffey, award of Court of Claims at December Term, 1916, for salary due as Secretary of the State Board of Equalization from July 1, 1915, to January 1, 1916,—155 days @ \$5.00 per day, the sum of.....	775.00 [Vetoed]
* (31)	To Amos Sawyer, award of Court of Claims at December Term, 1916, for salary due as Secretary of the Illinois State Board of Health, from the death of James A. Egan until the appointment of C. St. Clair Drake, the sum of.....	3,750.00 [Vetoed]
* (32)	To Hugh Cain, for injuries sustained while employed at the University of Illinois, the sum of.....	500.00 [Vetoed]
* (33)	To Charles Balsley, for permanent injuries sustained while in the military service of the State of Illinois, the sum of.....	2,500.00 [Vetoed]
* (34)	To Mary Bince McMurray (formerly Mary Bince) for personal injuries sustained in February, 1914, while in the employment of the State at the Kankakee State Hospital, the sum of.....	500.00 [Vetoed]
* (35)	To Lewis Gurley, for damages sustained on account of failure of veterinary board to make inspection of hoof animals prior to public sale, the sum of.....	300.00 [Vetoed]
* (36)	To William T. Joos, for loss of crops and damages sustained by reason of the location of the Camp Grant Rifle Range of the Illinois National Guard, adjacent to his premises, the sum of.....	1,587.10 [Vetoed]
* (37)	To Oscar S. Watkins, for severe and permanent injury received by him by reason of being poisoned while engaged in the performance of his duties as teacher of chemistry and field demonstrator of sprays in the Department of Horticulture at the University of Illinois, the sum of.....	5,000.00 [Vetoed]

* (38)	To the personal representative of the Estate of James Kent Venner, for the purpose of paying the death loss on account of the death of James Kent Venner, who was killed by timbers of falling derrick, while performing his duties on the bank of the Illinois and Michigan Canal, at Channahon, Will County, Illinois, the sum of.....	\$ 2,500.00 [Vetoed]
* (39)	To Fred H. Gillett, for damages for injuries incurred January 24, 1915, while a guard in the Joliet Penitentiary, the sum of...	2,000.00 [Vetoed]
(40)	To M. Hayes, for services rendered the State as live stock agent at the Union Stock Yards, in Chicago, in 1913, the sum of.....	192.00
(41)	To A. G. Johnson, for services rendered the State as live stock agent at the Union Stock yards, in Chicago, in 1913, the sum of.....	192.00
* (42)	To Roscoe L. Drennan, in payment of damages for injuries sustained while in the discharge of his duties as a member of the Illinois National Guard, the sum of....	4,000.00 [Vetoed]
Total		51,107.92
* (43)	To A. D. Fleury in payment for death of son Fred Fleury, killed at the St. Charles School for boys while working in laundry	2,000.00 [Vetoed]

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State treasury for the aforesaid sums of money, payable to the respective parties for the several sums indicated in Section 1 of this Act, and the State Treasurer is hereby authorized and directed to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED (except as to those items disapproved in my veto message, June 28, 1917).

* Indicates vetoed.

June 28, 1917.

To the Honorable, the House of Representatives of the General Assembly of Illinois:

I return herewith House Bill No. 726, entitled "An Act to make appropriations for certain claims against the State of Illinois," with my approval except as to the following items which are vetoed because of reasons set forth in the opinion of the Attorney General, a copy of which is attached hereto:

ILLEGAL ATTORNEYS' FEES.

Page 6, Section 1, Clause (19):

"To Thomas F. Hogen, award of Court of Claims at December term, 1916, on account of legal services for the Illinois State Board of Health from July 1, 1915 to January 1, 1916, the sum of..... \$1,250.00."

Page 6, Section 1, Clause (20):

"To Elijah J. Zoline, award of Court of Claims at December term, 1916, for the payment of attorney's fees in suit of People of the State of Illinois ex rel. Edward F. Dunne, Governor, and Patrick J. Lucey, Attorney General v. The Economy Light and Power Company, the sum of..... \$ 500.00."

STATE OFFICERS.

Page 6, Section 1, Clause (21):

"To John Hunning, award of Court of Claims at December term, 1916, for salary due as member of the State Board of Examiners of Horse-shoers, from February, 1916 to March, 1917, 80 days @ \$3.50 per day, the sum of..... \$ 280.00."

Pages 6 and 7, Section 1, Clause (22):

"To Anthony Kochly, award of Court of Claims at December term, 1916, for salary due as member of the State Board of Examiners of Horse-shoers, from February, 1916 to March, 1917, 80 days @ \$3.50 per day, the sum of..... \$ 280.00."

Page 7, Section 1, Clause (23):

"To C. F. O'Conner, award of Court of Claims at December term, 1916, for salary due as member of the Illinois State Board of Dental Examiners, for the years 1914, 1915 and 1916, the sum of..... \$ 111.95."

Page 7, Section 1, Clause (24):

"To Henry L. Whipple, award of Court of Claims at December term, 1916, for salary due as member of the Illinois State Board of Dental Examiners, for the years 1915 and 1916, the sum of..... \$ 312.72."

Page 7, Section 1, Clause (25):

"To E. F. Hazell, award of Court of Claims at December term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the year 1914, \$ 304.70."

Page 7, Section 1, Clause (26):

"To W. F. Whalen, award of Court of Claims at December term, 1916, for salary as member of Illinois State Board of Dental Examiners for the year 1914, the sum of..... \$ 279.35."

Page 7, Section 1, Clause (27):

"To C. F. Pruyin, award of Court of Claims at December term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the year 1914, the sum of..... \$ 170.40."

Page 8, Section 1, Clause (28):

"To B. A. Smith, award of Court of Claims at December term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the years 1914 and 1915, the sum of..... \$ 518.57."

Page 8, Section 1, Clause (29):

"To N. W. Cox, award of Court of Claims at December term, 1916, for salary due as member of Illinois State Board of Dental Examiners for the years 1914 and 1915 the sum of..... \$ 552.73."

Page 8, Section 1, Clause (30):

"To John J. Coffey, award of Court of Claims at December term, 1916, for salary due as Secretary of the State Board of Equalization, from July 1, 1915 to January 1, 1916, 155 days @ \$5.00 per day the sum of \$ 775.00."

Page 8, Section 1, Clause (31):

"To Amos Sawyer, award of Court of Claims at December term, 1916, for salary due as Secretary of Illinois State Board of Health from the death of James A. Egan, until the appointment of C. St. Clair Drake. \$3,750.00."

Page 1, paragraph 2, is vetoed because the State Military and Naval Code provides that "In every case where an officer or an enlisted man of the National Guard or Naval Reserve shall be injured, wounded, or killed, the State Court of Claims shall act on and adjust the same as the merits of each case may demand."

The item disapproved is as follows:

"To Louis B. Anderson, as damages for injuries received August 1, 1914, while in the discharge of his duties, as a member of the Illinois National Guard at Camp Lincoln, the sum of..... \$1,000.00."

Page 2, section 1, clause (4), is disapproved because it has not been heard by the Court of Claims.

"To the personal representative of the estate of Frank W. McGlenn, for the purpose of paying the loss on account of the death of Frank W. McGlenn, who was killed by reason of an unguarded dam located in the Illinois and Michigan Canal at the city of Joliet, the sum of.... \$2,000.00."

Page 2, section 1, clause (6), is vetoed because there is not sufficient information available upon it and it should be presented to the Court of Claims.

The item [item] is as follows:

"To Henry Henke for the payment of damages and compensation for personal injuries received, while working as painter at Lincoln Park in the service of the State of Illinois, the sum of..... \$1,500.00."

Page 5, Section 1, Clause (15):

"To James Shaughnessy and Lillian Shaughnessy on account of loss sustained through the death on October 10, 1915, of Edward Shaughnessy, a child between the ages of eight and nine years, who was injured on October 9, 1915, through the negligence of the Board of Commissioners of Lincoln Park, the sum of..... \$2,000.00."

Page 5, Section 1, Clause (16):

"To Mary Davy for damages resulting from the death of her husband, Harry Davy, killed while in the performance of his duty as a guard at the Joliet Penitentiary, the sum of..... \$2,500.00."

The following item is vetoed for the reason set forth in the opinion of the Attorney-General that the services performed were legal:

Page 5, Section 1, Clause (18):

"To Frank J. Burns, award of Court of Claims at December term, 1916, on account of legal services and expenses and in inheritance tax work from May 1, 1915, to November 1, 1916, the sum of..... \$2,499.33."

The following items are vetoed for the reason that they have not been presented to the Court of Claims:

Page 9, Section 1, Clause (32):

"To Hugh Cain for injuries sustained while employed at the University of Illinois, the sum of..... \$ 500.00."

Page 9, Section 1, Clause (34):

"To Mary Bince McMurray (former name Mary Bince) for personal injuries sustained in February, 1914, while in the employment of the State at the Kankakee State Hospital, the sum of..... \$ 500.00."

Page 9, Section 1, Clause (35):

"To Lewis Gurley for damages sustained on account of failure of Veterinary Board to make inspection of hoof animals prior to public sale, the sum of..... \$ 300.00."

Page 9, Section 1, Clause (36):

"To William T. Joos for loss of crops and damages sustained by reason of location of the Camp Grant Rifle Range of the Illinois National Guard adjacent to his premises, the sum of..... \$1,587.10."

The following items are vetoed for the reason that there is no recommendation from the Court of Claims:

Page 3, Section 1, Clause (8):

"To Sydney Glass for injuries sustained on Douglas Blvd., near Spaulding Avenue, in the West Park System, in Chicago, under the control of the State of Illinois, the sum of..... \$1,000.00."

Page 3, Section 1, Clause (9):

"To Amelia Appel, for loss sustained because of the drowning of her daughter, Freida Reidel, in the public swimming pool or lagoon on July 6, 1916, at Starved Rock Park, the sum of..... \$3,000.00."

Pages 3, Section 1, Clause (10):

"To Frank N. Hill, city marshal of the city of Chenoa, McLean County, for injuries sustained on July 21, 1915, while engaged in the search of inmates, who had escaped from the Illinois State Reformatory, the sum of..... \$ 750.00."

Pages 3 and 4, Section 1, Clause (11):

"To David Deane, for personal injuries received while in the service of the State, as a manual training instructor at the Illinois State Reformatory, on Jan. 12, 1917, the sum of..... \$ 750.00."

Page 4, Section 1, Clause (13):

"To Simon Berg for compensation for injuries sustained, while in the discharge of his duties as superintendent of farms for the Elgin State Hospital, the sum of..... \$1,000.00."

Pages 4 and 5, section 1, clause (14):

"To the duly appointed and qualified legal representative of Harry M. Kistner for the death of Harry M. Kistner, through scalding, while an inmate of the Elgin State Hospital on Feb. 14, 1917, the sum of..... \$1,000.00."

Page 9, Section 1, Paragraph 37:

"To Oscar F. Watkins, for severe and permanent injuries received by him, by reason of being sustained while engaged in the performance of his duties as teacher of chemistry and field demonstrator of sprays in the department of agriculture, at the University of Illinois, the sum of..... \$5,000.00."

Page 10, Section 1, Paragraph 38:

"To the personal representative of James Kent Venner, for the purpose of paying the death loss on account of the death of James Kent Venner who was killed by timbers of falling derrick while performing his duties, on the banks of the Illinois and Michigan Canal at Channahon, Will County, Illinois, the sum of..... \$2,500.00."

Page 10, Section 1, Paragraph 39:

"To Fred H. Gillett, for damages, for injuries incurred January 24, 1915, while a guard in the Joliet Penitentiary, the sum of..... \$2,000.00."

Page 11, Section 1, Clause (43):

"To A. D. Fleury, in payment for death of his son Fred Fleury, killed at the St. Charles School for Boys, while working in laundry..... \$2,000.00."

The following items are vetoed because they are claims for members of the Illinois National Guard which by the Military Code should be presented to the Court of Claims.

Page 9, Section 1, Clause (33):

"To Charles Balsley for permanent injuries sustained while in the military service of the State of Illinois, the sum of..... \$2,500.00."

Page 11, Section 1, Clause (42):

"To Roscoe L. Drennan in payment of damages for injuries sustained while in the discharge of his duties as a member of the Illinois National Guard, the sum of..... \$4,000.00."

Respectfully submitted,

FRANK O. LOWDEN, Governor.

COUNTY AGRICULTURAL ADVISORS.

§ 1. Appropriates \$28,000.00.

§ 3. How drawn.

§ 2. How distributed.

(HOUSE BILL No. 663. APPROVED JUNE 26, 1917.)

AN ACT making an appropriation for county agricultural advisors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twenty-eight thousand dollars per annum for the two years beginning July 1, 1917, and ending June 30, 1919, be and the same is hereby appropriated to the Department of Agriculture for the payment of county agricultural advisors.

§ 2. The Department of Agriculture shall distribute the moneys herein appropriated equally among the several county agricultural advisors of this State, to apply upon the salaries of the county agricultural advisors upon the following conditions.

1. Upon the same proof and subject to like rules and regulations as are prescribed by the United States government for the disbursement of public funds for the same purpose;

2. That the county agricultural advisor preserves the qualifications required by the United States Department of Agriculture for similar work.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sum herein specified, upon the presentation of vouchers approved by the Department of Agriculture accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of this Act relative to the employment of county advisors has been substantially applied.

APPROVED June 26, 1917.

CONVEYING OFFENDERS TO ILLINOIS STATE REFORMATORY.

§ 1. Appropriates \$2,000.00.

§ 2. Emergency.

(HOUSE BILL No. 958. APPROVED JUNE 23, 1917.)

AN ACT entitled, "*An Act to make an appropriation for the payment of expenses for the conveying of offenders to the Illinois State Reformatory at Pontiac, Illinois, subsequent to May 1, 1917, and providing for an emergency.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand and 00/100 (\$2,000.00) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated for conveying offenders to the Illinois State Reformatory at Pontiac, and from and to the reformatory in cases of new trials, or when used as witnesses in cases, to be paid by

the Auditor of Public Accounts in the manner now provided by law, to be ascertained and paid in the same manner as in cases of conveying prisoners to and from the penitentiary: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the reformatory, the sheriff shall take all of said persons so convicted at one trip, and the Auditor of Public Accounts shall refuse payment to any sheriff who shall fail to comply with this provision.

§ 2. Whereas, the moneys above appropriated are immediately required, therefore an emergency exists, and this Act shall take effect and be in full force from and after its passage and approval.

APPROVED June 23, 1917.

COMMITTEE EXPENSES—ELECTION CONTESTS.

§ 1. Appropriates \$9,988.10. .

§ 2. How drawn.

(HOUSE BILL No. 1037. JUNE 29, 1917.)

AN ACT *making an appropriation to pay the House election[s] committee expenses of the Fiftieth General Assembly.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of nine thousand nine hundred eighty-eight dollars and ten cents (\$9,988.10), or so much thereof as may be necessary, be and the same is hereby appropriated to pay the expenses of the House Elections Committee of the Fiftieth General Assembly, and that said sum so appropriated shall be used for the following purposes and payable to the persons herein designated:

HOUSE OF REPRESENTATIVES ELECTIONS COMMITTEE.

SECOND DISTRICT.

*To Randall E. Marshall, for the expenses of himself and his attorney in said contest, the sum of.....	\$386.60 [Vetoed]
*To Martin Walsh, attorney's fee as attorney for Randall E. Marshall, the sum of.....	250.00 [Vetoed]
*To Roger J. Marcy, for the expenses of himself and his attorney in said contest, the sum of.....	407.50 [Vetoed]
*To Homer J. Galpin, attorney's fee as attorney for Roger J. Marcy, the sum of.....	250.00 [Vetoed]
*To Frank Ryan, for the expenses of himself and his attorney in said contest, the sum of.....	269.70 [Vetoed]
*To Thomas J. Dawson, attorney's fee as attorney for Frank Ryan, the sum of.....	250.00 [Vetoed]
Total	\$1,813.80

SIXTH DISTRICT.

*To Joseph A. Weber, for the expenses of himself and his attorney in said contest, the sum of.....	745.15 [Vetoed]
*To Andrus & Trutter, attorney's fee as attorneys for Joseph A. Weber, the sum of.....	500.00 [Vetoed]

To, Carl Mueller, for his expenses as member of the sub-committee to recount the ballots, the sum of..	22.80
To Ewald E. Mueller, as clerk of said sub-committee, the sum of.....	40.00
To Adlai E. Mueller, as clerk of said sub-committee, the sum of.....	40.00
To Randolph Boyd, for his personal expenses as member of said sub-committee, the sum of.....	56.81
To N. A. Carlson, as clerk of said sub-committee, the sum of	71.12
To N. O. Swanson, as clerk of said sub-committee, the sum of.....	25.56
To John Kasserman, for his personal expenses as member of said sub-committee, the sum of.....	32.23
*To Frank Corr, attorney's fee as attorney for Robert E. Wilson, the sum of.....	350.00 [Vetoed]
*To Robert E. Wilson, for the expenses of himself and his attorney in said contest, the sum of.....	650.00 [Vetoed]
To B. E. Powell, as clerk of said sub-committee, the sum of	100.85
To William L. Corris, services as stenographer, the sum of	165.55
To W. V. Rathbone, clerk of said sub-committee, the sum of	117.20
To Oral P. Tuttle, for his personal expenses as member of said sub-committee, the sum of.....	79.00
To Pearl A. Smith, clerk of said sub-committee, the sum of	110.40
To F. A. Garesche, for his personal expenses as member of said sub-committee, the sum of.....	56.83
To Frank J. Leonard, Sergeant-at-Arms, for services and expenses on said sub-committee the sum of..	40.80
Total	\$3,204.30

ELEVENTH DISTRICT.

*To John H. Lyle, for expenses paid to his attorney.	\$ 33.00 [Vetoed]
*To James P. Harrold, attorney's fees and expenses as attorney for John H. Lyle, the sum of.....	80.65 [Vetoed]
*To Alfred Van Duser, for the expenses of himself and his attorney, the sum of.....	59.00 [Vetoed]
*To Samuel J. Andalman, attorney's fee as attorney for Alfred Van Duser, the sum of.....	150.00 [Vetoed]
*To Henry F. Schubert, for the expenses of himself and his attorney, the sum of.....	345.00 [Vetoed]
*To Adolph H. Easter, attorney's fee, as attorney for Henry F. Schubert, the sum of.....	250.00 [Vetoed]
Total	\$917.65

 TWENTY-SEVENTH DISTRICT.

*To Edward Walz, for the expenses of himself and his attorney, the sum of.....	\$254.75 [Vetoed]
*To Homer J. Galpin, attorney's fee, as attorney for Edward Walz, the sum of.....	250.00 [Vetoed]
*To Joseph A. G. Trandel, for the expenses of himself and his attorney, the sum of.....	390.00 [Vetoed]
*To J. E. Ingram, attorney's fee, as attorney for Joseph A. G. Trandel, the sum of.....	250.00 [Vetoed]
*To Joseph Petlak, for the expenses of himself, and his attorney, the sum of.....	350.00 [Vetoed]
*To J. E. Ingram, attorney's fee as attorney for Joseph Petlak, the sum of.....	250.00 [Vetoed]
Total	<u>\$1,744.75</u>

TWENTY-EIGHTH DISTRICT.

*To Edwin C. Perkins, for the expenses of himself and his attorney in said contest, the sum of.....	\$ 22.50 [Vetoed]
*To Evan C. Worth, attorney's fee, as attorney for Edwin C. Perkins, the sum of.....	250.00 [Vetoed]
*To Peter Murphy, for expenses paid to his attorney in said contest, the sum of.....	10.00 [Vetoed]
*To C. E. Smith, attorney's fee, as attorney for Peter Murphy, the sum of.....	250.00 [Vetoed]
*To Andrus & Trutter, attorneys' fee, as attorneys for Horace W. McDavid, the sum of.....	250.00 [Vetoed]
Total	<u>\$782.50</u>

FORTY-THIRD DISTRICT.

*To P. W. Gallagher, for the expenses of himself and his attorney in said contest, the sum of.....	\$229.72 [Vetoed]
*To George B. Gillespie, attorney's fee as attorney for P. W. Gallagher, the sum of.....	250.00 [Vetoed]
*To Owen B. West, for expenses for his attorney, the sum of	46.88 [Vetoed]
*To Chas. Dickerson and Maurice Zetterholm, attorney's fee as attorney for O. B. West, the sum of..	150.00 [Vetoed]
*To James E. Davis, for the expenses of himself and his attorney in said contest, the sum of.....	73.50 [Vetoed]
*To Robert J. Walberg, as attorney for James E. Davis, the sum of.....	150.00 [Vetoed]
Total	<u>\$900.10</u>

FIFTY-FIRST DISTRICT.

*To A. M. Fitzgerald, attorney's fee, as attorney for Austin Hill in said contest the sum of.....	\$250.00 [Vetoed]
*To George M. Miley, attorney's fee as attorney for Oral P. Tuttle in said contest the sum of.....	250.00 [Vetoed]
*To George M. Miley, attorney's fee as attorney for Claude F. Lacy, in said contest, the sum of.....	125.00 [Vetoed]
Total	\$625.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums specified in section one (1) of this Act, upon the presentation of proper vouchers, and the State Treasurer shall pay the same out of any moneys in the State treasury not otherwise appropriated.

APPROVED except as to those items vetoed in my veto message, June 29, 1917.

* Indicates vetoed.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.
SPRINGFIELD, June 29, 1917.

To the Honorable, the House of Representatives:

I return herewith, without my approval, the following items contained in House Bill No. 1037, the same being a bill for "An Act making an appropriation to pay the House Election Committee expenses of the Fiftieth General Assembly," viz:

"To Randall E. Marshall, for the expenses of himself and his attorney in said contest, the sum of.....	\$386.60"
"To Martin Walsh, attorney's fees as attorney for Randall E. Marshall, the sum of.....	250.00"
"To Roger J. Marcy, for the expenses of himself and his attorney in said contest, the sum of.....	407.50"
"To Homer J. Galpin, attorney's fee as attorney for Roger J. Marcy, the sum of	250.00"
"To Frank Ryan, for the expenses of himself and his attorney in said contest, the sum of.....	269.70"
"To Thomas J. Dawson, attorney's fee as attorney for Frank Ryan, the sum of	250.00"
"To Joseph A. Weber, for the expenses of himself and his attorney in said contest, the sum of.....	745.15"
"To Andrus & Trutter, attorney's fee as attorney for Joseph A. Weber, the sum of.....	500.00"
"To Frank Corr, attorney's fee as attorney for Robert E. Wilson, the sum of	350.00"
"To Robert E. Wilson, for the expenses of himself and his attorney in said contest, the sum of.....	650.00"
"To John H. Lyle, for expenses paid to his attorney.....	33.00"
"To James P. Harrold, attorney's fees and expenses as attorney for John H. Lyle, the sum of.....	80.65"
"To Alfred Van Duser, for the expenses of himself and his attorney, the sum of	59.00"
"To Samuel J. Andalman, attorney's fee as attorney for Alfred Van Duser, the sum of	150.00"
"To Henry F. Schubert, for the expenses of himself and his attorney, the sum of	345.00"
"To Adolph H. Easter, attorney's fee, as attorney for Henry F. Schubert, the sum of	250.00"
"To Edward Walz, for the expenses of himself and his attorney, the sum of	254.75"
"To Homer J. Galpin, attorney's fee, as attorney for Edward Walz, the sum of	250.00"
"To Joseph A. G. Trandel, for the expenses of himself and his attorney, the sum of.....	390.00"
"To J. E. Ingram, attorney's fees, as attorney for Joseph A. G. Trandel, the sum of	250.00"
"To Joseph Petlak, for the expenses of himself and his attorney, the sum of	350.00"
"To J. E. Ingram, attorney's fee as attorney for Joseph Petlak, the sum of	250.00"

"To Edwin C. Perkins, for the expenses of himself and his attorney in said contest, the sum of.....	\$ 22.50"
"To Evan C. Worth, attorney's fee, as attorney for Edwin C. Perkins, the sum of.....	250.00"
"To Peter Murphy, for expenses paid to his attorney in said contest, the sum of.....	10.00"
"To C. E. Smith, attorney's fees, as attorney for Peter Murphy, the sum of.....	250.00"
"To Andrus & Trutter, attorney's fees, as attorneys for Horace W. McDavid, the sum of.....	250.00"
"To P. W. Gallagher, for the expenses of himself and his attorney in said contest, the sum of.....	229.72"
"To George B. Gillespie, attorney's fee as attorney for P. W. Gallagher, the sum of.....	250.00"
"To Owen E. West, for expenses for his attorney, the sum of.....	46.88"
"To Chas. Dickerson and Maurice Zetterholm, attorney's fee as attorney for O. B. West, the sum of.....	150.00"
"To James E. Davis, for the expenses of himself and his attorney in said contest, the sum of.....	73.50"
"To Robert J. Walberg, as attorney for James E. Davis, the sum of.....	150.00"
"To A. M. Fitzgerald, attorney's fee, as attorney for Austin Hill, in said contest, the sum of.....	250.00"
"To George M. Miley, attorney's fee as attorney for Oral P. Tuttle, in said contest, the sum of.....	250.00"
"To George M. Miley, attorney's fee as attorney for Claude F. Lacy, in said contest, the sum of.....	125.00"
I veto each of said items for the reasons set forth in the opinion of the Attorney General, a copy of which is hereto attached.	
Respectfully submitted,	

FRANK O. LOWDEN, Governor.

Filed July 3, 1917.

LOUIS L. EMMERSON, Secretary of State.

CHARLES E. WOODWARD—COMPENSATION.

- § 1. Appropriates \$2,147.81 to compensate Charles E. Woodward codification election laws. § 2. Warrants.

(HOUSE BILL NO. 944. APPROVED JUNE 28, 1917.)

AN ACT making an appropriation to compensate Charles E. Woodward for services performed and expenses incurred pursuant to contract with the secretary of the Legislative Reference Bureau.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand one hundred and forty-seven dollars and eighty-one cents be, and the same is, hereby appropriated to Charles E. Woodward, as compensation for services performed and expenses incurred in drafting and preparing, at the request of the secretary of the Legislative Reference Bureau, during the session of the Forty-ninth General Assembly, the following bills:

(1) A delegate primary election bill for the nomination of State and judicial offices by conventions of delegates to be introduced into the General Assembly by Hon. Louis J. Pierson;

(2) A delegate primary election bill for the nomination of State, congressional, senatorial, judicial and county officers by conventions of delegates to be introduced into the General Assembly by Hon. William Scanlan;

(3) A codification of the election laws of the State of Illinois, involving a study and analysis of the election laws of this and other states, and attendance in many committee meetings both of the Senate and House of Representatives, said bill being introduced and considered as Senate Bill No. 500 of the Forty-ninth General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer in favor of Charles E. Woodward for the amount hereby appropriated.

APPROVED June 28, 1917.

EDUCATIONAL—STATE NORMAL SCHOOLS, UNEXPENDED BALANCE,
MACOMB.

§ 1. Appropriates \$30,970.15.

§ 2. How drawn.

(HOUSE BILL NO. 1023. APPROVED JUNE 26, 1917.)

AN ACT to appropriate to the Department of Registration and Education, for the use of the Western Illinois State Normal School at Macomb, and the Southern Illinois Normal University at Carbondale, certain unexpended balances of appropriations made to said normal school and university by the Forty-ninth General Assembly:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Department of Registration and Education the balance of the amount remaining unexpended on July 1, 1917, of an appropriation made by the Forty-ninth General Assembly to the Western Illinois State Normal School at Macomb, for the construction of a building for school of arts, such balance being thirty thousand nine hundred seventy dollars and fifteen cents (\$30,970.15) on May 31, 1917.

§ 2. There is hereby appropriated to the Department of Registration and Education the balance of the amount remaining unexpended on July 1, 1917, of an appropriation made by the Forty-ninth General Assembly to the Southern Illinois Normal University at Carbondale for assembly hall and gymnasium of fire proof construction, such balance being thirty-seven thousand two hundred forty-two dollars and forty-five cents (\$37,242.45) on May 31, 1917.

§ 3. The Auditor of Public Accounts is authorized and directed to draw his warrants for the sums herein appropriated, upon the presentation of vouchers certified to as correct by the Director of Registration and Education and approved by the Director of Finance, and the State Treasurer is authorized and directed to pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 26, 1917.

EDUCATIONAL—STATE NORMAL SCHOOLS.

§ 1. Appropriates \$1,665,771.02. to the State Normal schools for operating, maintenance and equipment.

(A) State Normal University at Normal \$458,540.00.

(B) Eastern Illinois State Normal at Charleston \$285,416.00.

(C) Western Illinois State Normal at Macomb \$295,634.00.

(D) Northern Illinois State Normal at DeKalb \$332,715.65.

(E) Southern Illinois State Normal at Carbondale \$293,465.37.

§ 2. Terms defined.

§ 3. Director of Registration and Education to make requisition to incur obligations and make contracts.

§ 4. How drawn.

(HOUSE BILL NO. 965. APPROVED JUNE 29, 1917.)

AN ACT to make appropriations for the five State normal schools of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the ordinary operating expenses, maintenance expenses and equipment of the State normal schools for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the following sums, or as much thereof as may be necessary for the purposes named:

(A) ILLINOIS STATE NORMAL UNIVERSITY AT NORMAL.

	FIRST YEAR.	SECOND YEAR.
Salaries and wages.....	\$141,220.00	\$141,220.00
For president	5,000.00	per annum
For dean	3,000.00	per annum
For director of training school.....	3,000.00	per annum
For principal of high school.....	2,700.00	per annum
For ten professors at \$2,500 each per annum, one year of forty-two weeks....	25,000.00	per annum
For seven professors at \$2,200 each per annum, one year of forty-two weeks....	15,400.00	per annum
For three professors at \$2,000 each per annum, one year of forty-two weeks....	6,000.00	per annum
For two teachers at \$1,800 each per annum, one year of forty-two weeks....	3,600.00	per annum
For ten teachers at \$1,620 each per annum, one year of forty-two weeks....	16,200.00	per annum
For nine teachers at \$1,500 each per annum, one year of forty-two weeks....	13,500.00	per annum
For ten teachers at \$1,400 each per annum, one year of forty-two weeks....	14,000.00	per annum
For seven teachers at \$1,260 each per annum, one year of forty-two weeks....	8,820.00	per annum
For two teachers at \$750 each.....	1,500.00	per annum
For six teachers at \$250 each.....	1,500.00	per annum
For twelve teachers at \$225 each.....	2,700.00	per annum

Salaries and wages—Concluded.

For three teachers at \$200 each.....\$	600.00	per annum
For librarian	1,320.00	per annum
For assist. librarian.....	1,200.00	per annum
For one assist. librarian at \$65 per month, for eleven months.....	715.00	per annum
For assistant librarian at \$50 per month for eleven months.....	550.00	per annum
For student help in library.....	500.00	per annum
For one department stenographer.....	825.00	per annum
For secretary to the president.....	900.00	per annum
For department clerk.....	840.00	per annum
For department clerk.....	600.00	per annum
For stationary engineer.....	1,200.00	per annum
For two firemen at \$60 per month.....	1,440.00	per annum
For three janitors at \$65 per month, each.	2,340.00	per annum
For janitor	900.00	per annum
For three janitors at \$60 each per month.	2,160.00	per annum
For landscape gardener, superintendent grounds	1,200.00	per annum
For gardener	720.00	per annum
For student help in buildings and on grounds	290.00	per annum
For carpenter	1,000.00	per annum
	FIRST YEAR.	SECOND YEAR.
For departmental office expense.....\$	3,500.00	\$ 3,600.00
For traveling expense.....	300.00	300.00
For operating supplies and expense.....	10,500.00	10,600.00
For school supplies.....	2,600.00	2,800.00
For repairs to present buildings, grounds and equipment.....	3,700.00	3,100.00
For equipment	2,500.00	2,200.00
For equipment of dormitory.....	28,000.00	
For reserve and contingencies.....	51,200.00	51,200.00

The total for the Illinois State Normal University for the biennium being four hundred fifty-eight thousand five hundred and forty (\$458,540.00).

(B) EASTERN ILLINOIS STATE NORMAL SCHOOL AT CHARLESTON.

	FIRST YEAR.	SECOND YEAR.
Salaries and wages.....\$	89,880.00	\$ 89,880.00
For president	5,000.00	per annum
For two teachers at \$2,500 for thirty-eight weeks	5,000.00	per annum
For two teachers at \$2,400 for thirty-eight weeks	4,800.00	per annum
For three teachers at \$2,150 for thirty- eight weeks.....\$6,400.00	[6,450.00]	per annum

Salaries and wages—Concluded.

For teacher for thirty-eight weeks.....\$	1,000.00	per annum
For two teachers at \$1,750 each for thirty-eight weeks.....	3,500.00	per annum
For teacher for thirty-eight weeks.....	1,700.00	per annum
For four teachers at \$1,600 each for thirty-eight weeks.....	6,400.00	per annum
For teacher for thirty-eight weeks.....	1,600.00	per annum
For teacher for thirty-eight weeks.....	1,400.00	per annum
For two teachers at \$1,300 each for thirty-eight weeks.	2,600.00	per annum
For teacher for thirty-eight weeks.....	1,200.00	per annum
For five teachers at \$1,100 each for thirty-eight weeks.....	5,500.00	per annum
For teacher for thirty-eight weeks.....	1,050.00	per annum
For three teachers at \$1,000 each for thirty-eight weeks.....	3,000.00	per annum
For librarian for thirty-eight weeks.....	1,450.00	per annum
For assistant librarian for thirty-eight weeks	800.00	per annum
For registrar for thirty-eight weeks.....	1,500.00	per annum
For teacher and office assistant for eleven months	1,070.00	per annum
For teacher for thirty-eight weeks.....	2,000.00	per annum
For two teachers at \$1,800 each for thirty-eight weeks.....	3,600.00	per annum
For teacher for thirty-eight weeks.....	1,300.00	per annum
For two teachers at \$1,500 each for thirty-eight weeks.....	3,000.00	per annum
For four teachers at \$1,200 each for thirty-eight weeks.....	4,800.00	per annum
For teacher	1,000.00	per annum
For additional teachers, librarians and registrar, for summer school, six weeks.	4,000.00	per annum
For twelve additional summer school teachers at \$225 each.....	2,700.00	per annum
For secretary board of trustees.....	300.00	per annum
For school treasurer.....	100.00	per annum
For gardener	1,320.00	per annum
For janitor	900.00	per annum
For four janitors at \$60 each per month..	2,880.00	per annum
For stationary engineer.....	1,500.00	per annum
For fireman	900.00	per annum
For fireman	720.00	per annum
For watchman	720.00	per annum
For yardman	720.00	per annum
For student labor.....	500.00	per annum
For temporary labor on buildings and grounds at \$2.00 per day.....	1,000.00	per annum

	FIRST YEAR.	SECOND YEAR.
For departmental office expense.....	\$ 1,800.00	\$ 2,000.00
For traveling expenses.....	500.00	500.00
For operating supplies and expenses.....	7,500.00	5,500.00
For school supplies.....	1,400.00	1,500.00
For repairs to present buildings, grounds and equipment.....	2,000.00	2,000.00
For equipment	5,000.00	4,500.00
For reserve and contingencies.....	35,728.00	35,728.00

The total for the Eastern Illinois State Normal School for the said biennium being two hundred eighty-five thousand, four hundred and sixteen dollars (\$285,416.00).

(C) WESTERN ILLINOIS STATE NORMAL SCHOOL AT MACOMB.

	FIRST YEAR.	SECOND YEAR.
For salaries and wages.....	\$ 80,477.00	\$ 80,477.00
as follows:		
For president	5,000.00	per annum
For vice president.....	2,750.00	per annum
For director training school.....	2,750.00	per annum
For director of extension.....	2,200.00	per annum
For three department heads: mathematics, geography, biology, at \$2,500 each.....	7,500.00	per annum
For dean of women.....	2,250.00	per annum
For head of history department.....	2,400.00	per annum
For head of physics and chemistry de- partment	2,500.00	per annum
For teacher of German	1,627.50	per annum
For teacher of Latin	1,675.00	per annum
For head of domestic science department.	1,725.00	per annum
For head of drawing and design depart- ment	1,725.00	per annum
For head of manual training department.	2,100.00	per annum
For head of music department.....	1,675.00	per annum
For instrumental instructor and accom- panist	1,000.00	per annum
For instructor in English and public speaking	1,627.50	per annum
For teacher of physical training (women)	1,675.00	per annum
For teacher of history	1,500.00	per annum
For assistant in English	1,675.00	per annum
For assistant in mathematics	1,800.00	per annum
For assistant in domestic science.....	1,325.00	per annum
For assistant in agriculture and biology.	1,500.00	per annum
For assistant in manual training.....	1,500.00	per annum
For teacher of commercial branches.....	1,725.00	per annum
For extra teachers.....	1,500.00	per annum
For physical director of men.....	1,800.00	per annum
For principal of training school.....	1,827.00	per annum

Salaries and wages—Concluded.

For three critic teachers at \$1,360 each....\$	4,080.00	per annum
For two critic teachers at \$1,200 each....	2,400.00	per annum
For kindergarten teacher.....	1,000.00	per annum
For assistant in chemistry and physics...	1,500.00	per annum
For librarian	1,575.00	per annum
For two student assistant librarians at \$420 each.....	840.00	per annum
For registrar	1,000.00	per annum
For assistant registrar.....	500.00	per annum
For department stenographer.....	900.00	per annum
For stationary engineer.....	1,200.00	per annum
For two firemen at \$720 each.....	1,440.00	per annum
For head janitor.....	1,000.00	per annum
For three janitors at \$780 each.....	2,340.00	per annum
For watchman	720.00	per annum
For janitor help.....	600.00	per annum
For lectures	300.00	per annum
For general labor.....	750.00	per annum
	FIRST YEAR.	SECOND YEAR.
For departmental office expense.....\$	4,800.00	\$ 4,800.00
For traveling expenses.....	750.00	750.00
For operating supplies and expenses.....	5,500.00	5,500.00
For repairs to present equipment.....	2,000.00	2,000.00
For equipment	6,250.00	6,250.00
For reserve and contingencies.....	28,040.00	28,040.00
For finishing and furnishing school of art..	40,000.00	

The total for the Western Illinois State Normal School for the said biennium and said fiscal quarter being two hundred and ninety [ninety]-five thousand, six hundred and thirty-four dollars (\$295,634.00).

(D) NORTHERN ILLINOIS STATE NORMAL SCHOOL AT DEKALB.

	FIRST YEAR.	SECOND YEAR.
For salaries and wages.....\$	92,550.00	\$ 92,550.00
as follows:		
For president	5,000.00	per annum
For dean	3,000.00	per annum
For director of practice teaching.....	1,000.00	per annum
For six department heads at \$2,300....	13,800.00	per annum
For one department head.....	2,000.00	per annum
For seven department heads at \$1,600....	11,200.00	per annum
For principal of practice school.....	1,800.00	per annum
For principal of practice school.....	1,500.00	per annum
For one assistant.....	1,500.00	per annum
For five assistants at \$1,300.....	6,500.00	per annum
For one assistant.....	1,200.00	per annum
For one assistant.....	1,100.00	per annum
For four assistants at \$1,000.....	4,000.00	per annum
For one assistant.....	500.00	per annum

Salaries and wages—Concluded.

For one teacher.	\$ 500.00	per annum
For eight critic teachers at \$1,000.....	8,000.00	per annum
For four critic teachers at \$1,000.....	4,000.00	per annum
For four critic teachers at 350.....	1,400.00	per annum
For matron dormitory.....	1,200.00	per annum
For librarian	1,000.00	per annum
For assistant librarian.....	800.00	per annum
For clerk	1,100.00	per annum
For clerk	600.00	per annum
For summer school.....	7,500.00	per annum
For superintendent of grounds.....	1,400.00	per annum
For engineer	1,500.00	per annum
For assistant	900.00	per annum
For one fireman.....	1,200.00	per annum
For superintendent of building.....	1,500.00	per annum
For three janitors at \$900.....	2,700.00	per annum
For carpenter	1,000.00	per annum
For night watchman.....	600.00	per annum
For four laborers on grounds.....	1,350.00	per annum
For team hire.....	200.00	per annum
	FIRST YEAR.	SECOND YEAR.
For departmental office expense.....	\$ 1,500.00	\$ 1,500.00
For traveling expenses.....	200.00	200.00
For operating supplies and expense.....	15,000.00	15,000.00
For school supplies.....	3,650.00	3,650.00
For repairs to present buildings, grounds and equipment.....	6,715.66	1,000.00
For equipment	21,050.00	3,500.00
For reserves and contingencies.....	37,325.00	37,325.00

The total for the Northern Illinois State Normal School for the said biennium and said fiscal quarter being three hundred thirty-two thousand, seven hundred fifteen dollars and sixty-five cents (\$332,715.65).

(E) SOUTHERN ILLINOIS STATE NORMAL SCHOOL, AT CARBONDALE.

	FIRST YEAR.	SECOND YEAR.
For salaries and wages.....	\$ 92,900.00	\$ 92,900.00
as follows:		
For president	5,000.00	per annum
For vice president.....	3,600.00	per annum
For 1st assistant department of English..	1,600.00	per annum
For 2nd assistant department of English..	1,500.00	per annum
For 3rd assistant department of English..	1,500.00	per annum
For 4th assistant department of English..	1,200.00	per annum
For 1st assistant, department of languages	2,000.00	per annum
For 2nd assistant, department of languages	1,400.00	per annum
For head teacher, drawing and design....	1,600.00	per annum

Salaries and wages—Continued.

For assistant teacher, drawing and design..\$	1,300.00	per annum
For head teacher, civics and history.....	2,500.00	per annum
For instructor, geography and physiography	2,200.00	per annum
For head assistant, mathematics.....	2,400.00	per annum
For 1st assistant, mathematics.....	2,000.00	per annum
For 2nd assistant, mathematics.....	1,600.00	per annum
For instructor, psychology and pedagogy	2,500.00	per annum
For head assistant, music.....	1,700.00	per annum
For 1st assistant, music.....	1,000.00	per annum
For 2nd assistant, music.....	800.00	per annum
For 3rd assistant, music.....	700.00	per annum
For head assistant, chemistry.....	2,200.00	per annum
For instructor, physics.....	2,400.00	per annum
For head assistant, biology.....	2,400.00	per annum
For 1st assistant, biology.....	1,800.00	per annum
For head assistant, agriculture.....	2,200.00	per annum
For 1st assistant, agriculture.....	1,700.00	per annum
For head assistant, manual training....	2,000.00	per annum
For head assistant, household arts.....	1,500.00	per annum
For 1st assistant, household arts.....	1,100.00	per annum
For head assistant, commercial department	2,100.00	per annum
For 1st assistant, commercial department.	1,300.00	per annum
For 2nd assistant and bookkeeper, commercial department.....	1,400.00	per annum
For instructor, physical training, girls...	1,600.00	per annum
For instructor, physical training, boys...	1,800.00	per annum
For instructor, bureau rural school work..	1,800.00	per annum
For superintendent of training school....	2,700.00	per annum
For critic teacher, primary.....	1,400.00	per annum
For assistant critic teacher, primary.....	1,200.00	per annum
For critic teacher, intermediate.....	1,400.00	per annum
For assistant teacher, intermediate.....	1,200.00	per annum
For principal, high school.....	1,700.00	per annum
For 1st assistant, high school.....	1,400.00	per annum
For 2nd assistant, high school.....	1,200.00	per annum
For head librarian	1,000.00	per annum
For assistant librarian	1,000.00	per annum
For curator, museum and floriculture....	1,200.00	per annum
For secretary to president.....	1,400.00	per annum
For secretary, board of trustees.....	300.00	per annum
For treasurer, board of trustees.....	300.00	per annum
For head of bureau of publicity.....	1,000.00	per annum
For stationary engineer	1,000.00	per annum
For head janitor	1,000.00	per annum
For janitor	900.00	per annum
For janitor	840.00	per annum
For janitor	660.00	per annum

Salaries and wages—Concluded.

For janitor	\$ 720.00	per annum
For janitor	800.00	per annum
For janitor	600.00	per annum
For watchman	780.00	per annum
For laborer	840.00	per annum
For laborer	660.00	per annum
For student labor	300.00	per annum
	FIRST YEAR. SECOND YEAR.	
For departmental office expense.....	\$ 4,450.00	\$ 4,450.00
For traveling expense	500.00	500.00
For operating supplies and expense.....	7,900.00	7,900.00
For school supplies	4,640.50	4,415.50
For repairs to present buildings, grounds and equipment	3,271.42	1,900.00
For equipment	4,685.45	3,052.50
For chairs and electric fixtures for auditorium	7,500.00 for the biennium	
For reserve and contingencies.....	30,000.00	30,000.00

The total for the Southern Illinois State Normal School for the said biennium being two hundred ninety-three thousand, four hundred sixty-five dollars and thirty-seven cents (\$293,465.37).

§ 2. The term "salaries and wages" as used in this Act shall mean and include salaries, wages and other compensation for personal service.

The term "departmental office expense" as used in this Act shall mean and include postage, telephone, telegraph, rent, office supplies, express, freight, drayage, printing and binding; for departments and institutions.

The term "traveling expenses" as used in this Act shall mean and include railroad fares, hotel bills, livery hire, street car fares and similar personal expenses incurred wholly in the State service.

The term "operating supplies and expenses" as used in this Act shall mean and include fuel, food, wearing apparel, household supplies, plant and departmental supplies and institutional operating expenses.

The term "school supplies" as used in this Act shall mean and include supplies used for distinctly educational purposes, and not included in other classes.

The term "repairs on present buildings, grounds and equipment" as used in this Act shall mean and include replacements, but not betterments. Such repairs may be under contract in whole or in part, or may be by the direct use of labor, materials and service.

The term "equipment" as used in this Act shall mean and include equipment of permanent value, including furniture, fixtures, machinery, scientific apparatus, live stock, vehicles, maps, books, educational equipment and recreational equipment.

§ 3. The Director of Registration and Education shall draw requisitions on the Director of Public Works and Buildings for supplies, materials and services under the appropriations made herein, and the Director of Public Works and Buildings is authorized to incur obliga-

tions and make contracts under the appropriations herein, as provided in section 49 of the Civil Administrative Code.

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer under the appropriations made herein, upon the presentation of vouchers certified to as correct by the Director of Registration and Education and approved by the Director of Finance.

APPROVED June 29, 1917.

ELECTORS OF PRESIDENT AND VICE PRESIDENT—PAYMENT OF MILEAGE.

§ 1. Appropriates \$1,500.00 to pay mileage. § 2. How drawn.
age.

(HOUSE BILL NO. 691. APPROVED MAY 18, 1917.)

AN ACT entitled, "*An Act making an appropriation for the payment of mileage of Electors of the President and Vice President of the United States.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of one thousand five hundred and 00-100 (\$1,500.00) dollars, or so much thereof as may be necessary, to pay the mileage of the electors of the President and the Vice President of the United States.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the items herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED May 18, 1917.

GAME AND FISH CONSERVATION COMMISSION—RE-APPROPRIATION.

§ 1. Reappropriates unexpended balance of \$9,945.44 for fish reclamation and contingent expenses. § 2. How drawn.
§ 3. Emergency.

(HOUSE BILL NO. 1020. APPROVED JUNE 23, 1917.)

AN ACT to divert an appropriation made to the Game and Fish Conservation Commission, by the Forty-ninth General Assembly, from the purpose named therein, and appropriating the unexpended balance to another purpose.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the unexpended balance of nine thousand nine hundred forty-five dollars and forty-four cents (\$9,945.44) of an appropriation made to the Game and Fish Conservation Commission by the Forty-ninth General Assembly "for establishing game preserves, \$50 a county, \$5,100 per annum," be and the same is hereby diverted from said purpose and is hereby appropriated to the Game and Fish Conservation Commission for the following purposes:

The sum of five thousand dollars for fish reclamation.

The balance in said fund for contingent expenses.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sums herein appropriated upon the presentation of itemized bills certified to by the Game and Fish Conservation Commission and approved by the Governor.

§ 3. WHEREAS, an emergency exists, therefore this Act shall be in force and effect from and after its passage:

APPROVED June 23, 1917.

GENERAL ASSEMBLY, 50TH—COMMITTEE EXPENSES.

§ 1. Appropriates \$28,000.00 as follows: § 2. How drawn.
Senate \$8,000.00; House of Rep-
resentatives \$20,000.00. § 3. Emergency.

(SENATE BILL NO. 54. APPROVED FEBRUARY 19, 1917.)

AN ACT *making an appropriation to pay the expenses of the committees of the Fiftieth General Assembly of the State of Illinois.*

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. That the following sums, or so much thereof as may be necessary, are hereby appropriated to pay the expenses of the committees of the Fiftieth General Assembly of the State of Illinois:

To the Senate, the sum of eight thousand (\$8,000.00) dollars, or so much thereof as may be necessary to be expended upon presentation of vouchers certified to by the chairman of the committee incurring the expenses and the President of the Senate.

To the House of Representatives, the sum of twenty thousand (\$20,000.00) dollars, or so much thereof as may be necessary to be expended upon presentation of vouchers certified to by the chairman of the committee incurring the expenses and the Speaker of the House of Representatives.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the sum herein specified, upon presentation of proper vouchers certified by the chairman of the committee incurring the expenses and the presiding officer of that branch of the General Assembly appointing the committee.

§ 3. The appropriation above recited is necessary for the payment of the expenses of the committees of the Fiftieth General Assembly now being incurred in the transaction of business assigned to said committees. Therefore, an emergency exists, and this Act shall take effect from and after its passage and approval.

APPROVED February 19, 1917.

GENERAL ASSEMBLY (51ST) AND STATE OFFICERS.

§ 1. Appropriates \$3,097,566.00. § 2. How drawn.

(HOUSE BILL NO. 1017. APPROVED JUNE 28, 1917.)

AN ACT *making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of certain officers of the State government.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appro-

priated the sum of three million ninety-seven thousand five hundred sixty-six dollars (\$3,097,566), or so much thereof as may be necessary, to pay the officers and members of the next General Assembly, and the salaries of certain officers of the State government hereinafter mentioned until the expiration of the first fiscal quarter after the adjournment of the next regular session of the next General Assembly, at the rate of compensation, as follows, to-wit:

For Governor.....	\$ 12,000.00	per annum
For Lieutenant Governor.....	2,500.00	per annum
(While acting as Governor, at \$33.33 per diem) .	3,000.00	per annum
For Secretary of State.....	7,500.00	per annum
For Auditor of Public Accounts.....	7,500.00	per annum
For Attorney General.....	10,000.00	per annum
For Assistant Attorney General (Cook County)	3,500.00	per annum
For Assistant Attorney General (Cook County)	5,000.00	per annum
For Assistants Attorney General (2 for Cook County at \$4,000 each).....	8,000.00	per annum
For State Treasurer.....	10,000.00	per annum
For Superintendent of Public Instruction.....	7,500.00	per annum
For Adjutant General.....	7,000.00	per annum
For Assistant Adjutant General.....	5,000.00	per annum
For Assistant Quartermaster General.....	5,000.00	per annum
For Assistant Quartermaster General.....	1,500.00	per annum
For Board of Equalization (26 members, \$1,000 each and mileage).....	28,000.00	per annum
For Board of Equalization (Secretary, 313 days at \$5.00).....	1,565.00	per annum
For Board of Equalization (Doorkeeper, 106 days at \$3.00).....	318.00	per annum
For Civil Service Commission (3 members; 1 at \$4,000; President; and 2 at \$3,000 each) .	10,000.00	per annum
For Civil Service Commission (Chief Examiner, as <i>ex officio</i> Secretary).....	3,500.00	per annum
For Watchmen at State House (22 at \$900 each)	19,800.00	per annum
For Illinois Historical Library (Librarian)....	3,000.00	per annum
For members and officers of the 51st General Assembly	800,000.00	
For Judges Supreme Court (7 members at \$10,000 each).....	70,000.00	per annum
For Judges Supreme Court (Private Secretaries; 7 at \$3,000 each).....	21,000.00	per annum
For Supreme Court (1 Marshal).....	1,200.00	per annum
For Supreme Court Clerk.....	7,500.00	per annum
For Supreme Court Reporter.....	6,000.00	per annum
For Judges Superior Court and Circuit Courts (89 at \$5,000 each).....	445,000.00	per annum
For Judges of City Courts (35 estimated)....	60,000.00	per annum
For Judges Court of Claims, (3 members at \$1,500 each).....	4,500.00	per annum

For State's Attorneys (102 at \$400 each).....	\$ 40,800.00	per annum
For Clerks for Judges, Appellate Courts (18 at \$2,000 each).....	36,000.00	per annum
For Department of Finance (Director).....	7,000.00	per annum
For Department of Finance (Assistant Director)	4,200.00	per annum
For Department of Finance (Administrative Auditor)	4,800.00	per annum
For Department of Finance (Superintendent of Budget)	3,600.00	per annum
For Department of Finance (Superintendent of Department Reports).....	3,600.00	per annum
For Department of Agriculture (Director)....	6,000.00	per annum
For Department of Agriculture (Assistant Director)	3,600.00	per annum
For Department of Agriculture (General Manager State Fair, for six months from January 1, 1919, to July 1, 1919, at \$3,600 per annum)	1,800.00	
For Department of Agriculture (Superintendent Foods and Dairies).....	4,800.00	per annum
For Department of Agriculture (Superintendent Animal Industry).....	3,600.00	per annum
For Department of Agriculture (Superintendent Plant Industry).....	3,600.00	per annum
For Department of Agriculture (Chief Game and Fish Warden).....	3,600.00	per annum
For Department of Agriculture (2 Commissioners of Food Standards at \$450.00 each).....	900.00	per annum
For Department of Agriculture (Chief Veterinarian)	4,200.00	per annum
For Department of Labor (Director).....	5,000.00	per annum
For Department of Labor (Assistant Director)	3,000.00	per annum
For Department of Labor (Chief Factory Inspector)	3,000.00	per annum
For Department of Labor (Superintendent Free Employment Offices).....	3,000.00	per annum
For Department of Labor (Chief Inspector Private Employment Agencies).....	3,000.00	per annum
For Department of Labor (5 Industrial Officers at \$5,000 each).....	25,000.00	per annum
For Department of Mines and Minerals (Director)	5,000.00	per annum
For Department of Mines and Minerals (Assistant Director).....	3,000.00	per annum
For Department of Mines and Minerals (Mining Board, 4 members at \$500 each).....	2,000.00	per annum
For Department of Mines and Minerals (Miners' Examining Board, 4 members at \$1800 each)	7,200.00	per annum
For Department of Public Works and Buildings (Director)	7,000.00	per annum

For Department of Public Works and Buildings (Assistant Director).....	\$ 4,000.00 per annum
For Department of Public Works and Buildings (Superintendent of Highways).....	5,000.00 per annum
For Department of Public Works and Buildings (Chief Highway Engineer).....	5,000.00 per annum
For Department of Public Works and Buildings (Supervising Architect).....	4,000.00 per annum
For Department of Public Works and Buildings (Supervising Engineer).....	4,000.00 per annum
For Department of Public Works and Buildings (Superintendent of Waterways).....	5,000.00 per annum
For Department of Public Works and Buildings (Superintendent of Printing).....	5,000.00 per annum
For Department of Public Works and Buildings (Superintendent of Purchases and Supplies)	5,000.00 per annum
For Department of Public Works and Buildings (Superintendent of Parks).....	2,500.00 per annum
For Department of Public Welfare (Director)	7,000.00 per annum
For Department of Public Welfare (Assistant Director)	4,000.00 per annum
For Department of Public Welfare (Alienist) ..	5,000.00 per annum
For Department of Public Welfare (Crimino- logist)	5,000.00 per annum
For Department of Public Welfare (Fiscal Su- pervisor)	5,000.00 per annum
For Department of Public Welfare (Superin- tendent of Charities).....	5,000.00 per annum
For Department of Public Welfare (Superin- tendent of Prisons).....	5,000.00 per annum
For Department of Public Welfare (Superin- tendent of Pardons and Paroles).....	5,000.00 per annum
For Department of Public Health (Director) ..	6,000.00 per annum
For Department of Public Health (Assistant Director)	3,600.00 per annum
For Department of Public Health (Superin- tendent of Lodging House Inspection).....	3,000.00 per annum
For Department of Trade and Commerce (Di- rector)	7,000.00 per annum
For Department of Trade and Commerce (As- sistant Director).....	4,000.00 per annum
For Department of Trade and Commerce (Su- perintendent of Insurance).....	5,000.00 per annum
For Department of Trade and Commerce (Fire Marshal)	3,000.00 per annum
For Department of Trade and Commerce (Su- perintendent of Standards).....	2,500.00 per annum
For Department of Trade and Commerce (Chief Grain Inspector).....	5,000.00 per annum

For Department of Trade and Commerce (3 Appeal Members Grain Inspection Department at \$1200 each).....	\$ 3,600.00 per annum
For Department of Trade and Commerce (5 Public Utilities Commissioners at \$7,000 each)	35,000.00 per annum
For Department of Trade and Commerce (Sec- retary Public Utilities Commission).....	4,000.00 per annum
For Department of Registration and Education (Director)	5,000.00 per annum
For Department of Registration and Education (Assistant Director).....	3,600.00 per annum
For Department of Registration and Education (Superintendent of Registration).....	4,200.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of funds in the State treasury not otherwise appropriated.

APPROVED June 28, 1917.

GENERAL ASSEMBLY, 50TH—INCIDENTAL EXPENSES.

- § 1. Appropriates \$20,000.00 as follows: § 2. How drawn.
Senate \$8,000.00; House of Rep-
resentatives \$12,000.00. § 3. Emergency.

(SENATE BILL NO. 55. APPROVED FEBRUARY 19, 1917.)

AN ACT to provide for the incidental expenses of the Fiftieth General Assembly of the State of Illinois:

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. That the following sums, or so much thereof as may be required, are hereby appropriated to pay the incidental expenses of the Fiftieth General Assembly:

To the Senate, the sum of eight thousand (\$8,000.00) dollars, or so much thereof as may be required, to be expended on vouchers certified to by the President of the Senate.

To the House of Representatives, the sum of twelve thousand (\$12,000.00) dollars, or so much thereof as may be required, to be expended on vouchers certified to by the Speaker of the House of Representatives.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, an emergency exists, therefore this Act shall take effect and be in force from and after its passage and approval.

APPROVED, February 19, 1917.

GENERAL ASSEMBLY, 50TH—OFFICERS AND EMPLOYEES.

- § 1. Appropriates \$70,000.00 as follows: § 2. How drawn.
 Senate \$30,000.00; House of Rep-
 resentatives \$40,000.00. § 3. Emergency.

(SENATE BILL NO. 53. APPROVED FEBRUARY 16, 1917.)

AN ACT *making appropriations for the payment of the officers and employees of the Fiftieth General Assembly of the State of Illinois.*

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. That there be, and is hereby appropriated the sum of seventy thousand dollars (\$70,000.00), or so much thereof as may be necessary to pay the per diem of the officers and employees of the Fiftieth General Assembly of the State of Illinois at the rate of compensation allowed by law or resolution of either House, of the amounts herein appropriated thirty thousand dollars (\$30,000.00) is appropriated for the payment of the Senate officers and employees, and forty thousand dollars (\$40,000.00) is appropriated for the payment of the officers and employees of the House of Representatives. Said officers and employees to be paid upon rolls certified to by the presiding officers of the respective Houses.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the items herein specified upon presentation of proper vouchers and the State Treasurer shall pay the same out of any fund in the State treasury not otherwise appropriated.

§ 3. WHEREAS, the above appropriation is necessary for the transaction of the business of the State; therefore, an emergency exists, and this Act shall take effect from and after its passage and approval.

APPROVED February 16, 1917.

ILLINOIS CENTENNIAL COMMISSION.

- § 1. Appropriates \$160,000.00. § 2. How drawn.

(HOUSE BILL NO. 946. APPROVED JUNE 25, 1917.)

AN ACT *to make an appropriation for the Illinois Centennial Commission.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That one hundred sixty thousand dollars (\$160,000) be and are hereby appropriated for the expenses of the Illinois Centennial Commission until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, for the purpose of arranging for and conducting a celebration in honor of the centennial of the admission of the State of Illinois into the Federal Union, and for compiling and publishing a commemorative history of the State. Of the sum of one hundred sixty thousand dollars (\$160,000) herein appropriated, one hundred thousand dollar[s] (\$100,000) shall be available for the period beginning July 1, 1917, and sixty thousand dollars (\$60,000) for the period beginning July 1, 1918.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sum herein appropriated, upon the presentation of bills certified to by the chairman of the Illinois Centennial Commission, and approved by the Governor, and the State Treasurer is hereby directed to pay such warrants out of any money in the treasury not otherwise appropriated.

APPROVED June 25, 1917.

ILLINOIS PENSION LAWS COMMISSION.

§ 1. Appropriates \$20,000.00 for per diem and expenses. § 2. How drawn.

(SENATE BILL NO. 385. APPROVED JUNE 14, 1917.)

AN ACT *making an appropriation to the Illinois Pension Laws Commission.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Illinois Pension Laws Commission, the sum of twenty thousand dollars for the purpose of paying the per diem to the members of the said commission, and the necessary expenses of the said commission incurred under the authority of the Act creating the same.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sum hereby appropriated, upon the presentation of itemized vouchers certified by the chairman of the commission and approved by the Governor, and the State Treasurer shall pay the same out of any money in the treasury not otherwise appropriated.

APPROVED June 14, 1917.

JUDGES OF CITY COURTS—PAYMENT OF SALARIES.

§ 1. Appropriates \$3,500.00 for salaries prior to July 1, 1917. § 2. How drawn. § 3. Emergency.

(HOUSE BILL NO. 692. APPROVED JUNE 4, 1917.)

AN ACT *entitled, "An Act making an appropriation for the payment of the salaries of the judges of the city courts of the State of Illinois, prior to July 1, 1917, and by declaring an emergency."*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of three thousand five hundred (\$3,500.00) dollars, or so much thereof as may be necessary to pay the salaries of the judges of the city courts of the State of Illinois, prior to July 1, 1917.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the Treasurer for the sum herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, the sum hereby appropriated is immediately required, therefore an emergency exists and this Act shall take effect from and after its passage and approval.

APPROVED June 4, 1917.

LEGISLATIVE REFERENCE BUREAU—DEFICIENCY.

§ 1. Appropriates \$2,000.00.

* § 3. Emergency.

§ 2. How drawn.

(HOUSE BILL NO. 790. APPROVED JUNE 4, 1917.)

AN ACT to make an appropriation to carry on the work of the Legislative Reference Bureau until July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Legislative Reference Bureau, for the purpose of carrying on its work until July 1, 1917, the sum of two thousand dollars (\$2,000) for payment of salaries and office expenses.

§ 2. The Auditor of Public Accounts is hereby authorized and directed, upon the presentation of proper vouchers certified to by the secretary of the Legislative Reference Bureau and approved by the Governor, to draw his warrants for the above sum, or so much thereof as may be necessary, upon the State Treasurer, and the State Treasurer is hereby authorized and directed to pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS: the above appropriated sums is immediately required; therefore an emergency exists, and this law shall take effect from and after its passage and approval.

APPROVED June 4, 1917.

LOCAL IMPROVEMENTS—JACKSONVILLE STREET PAVEMENT.

§ 1. Appropriates \$16,159.28.

§ 2. How drawn.

(HOUSE BILL NO. 867. APPROVED JUNE 28, 1917.)

AN ACT making an appropriation to pay the State's portion of assessments for local improvements in and along certain streets in the city of Jacksonville.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the Secretary of State, the sum of \$16,159.28, or so much thereof as may be necessary, to pay the State's portion of special assessments for local improvements, made by the city of Jacksonville in, upon and along certain streets upon which property of the State abuts, namely:

For paving with sheet asphalt:

South one-half of West State street;

North one-half of West College avenue;

For paving with brick;

North one-half of East State street;

South one-half of Morton avenue,

together with court costs, the cost of levying and spreading assessments, inspection fees, and all necessary and legal expenses attending the same pursuant to law.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants against said appropriations in favor of the treasurer of the city of Jacksonville, or other officer entitled to

receive the same, upon vouchers duly executed by the Secretary of State, accompanied by a certificate of the Attorney General to the liability of the State for the amount of such voucher or respective vouchers, and that the amount or amounts specified in said voucher or vouchers is or are legally due under the laws of the State, the ordinances of the city of Jacksonville authorizing said improvements, and the legal proceedings pursuant thereto.

Estimate of the cost to the State of Illinois for paving West State street, from South Webster avenue to Findlay street; West College avenue, from South Webster avenue to the city limits; East State street, from the Chicago & Alton right of way to Howe street; West Morton avenue, from South Main street to Diamond street, all in the city of Jacksonville, Illinois, including labor, materials and lawful expenses attending the same, is the sum of \$16,159.28, itemized as follows:

PAVED WITH SHEET ASPHALT.

South one-half of West State street.....	1831 square yards.
South one-half of West State street.....	639 lin. ft. of curbing.
South one-half of West State street.....	427 cubic yards, excavation.
North one-half of West College avenue..	1370 square yards.
North one-half of West College avenue..	600 lin. ft. of curbing.
North one-half of West College avenue..	288 cubic yards, excavating.

PAVED WITH BRICK.

North one-half of East State street.....	1219 square yards.
North one-half of East State street.....	900 lin. ft., curbing.
North one-half of East State street.....	268 cubic yards, excavating.
South one-half of Morton avenue.....	1742 square yards.
South one-half of Morton avenue.....	1281 lin. ft., curbing.
South one-half of Morton avenue.....	1161 cu. yds., excavation.
Total number of square yards.....	6162
Total number of lin. ft., curbing.....	910
Total number of cu. yds., ex.....	1856
3201 Square yards of sheet asphalt, 2 inches in thickness, with 1 inch binder and 5 inch concrete base, includ- ing labor and material @ \$2.00 per sq. yd.....	\$6,402.00
1239 Linear feet of curbing, in place, @ 65c per lin. ft.....	802.75
715 Cubic yards of excavating, @ 35c per cu. yd.....	250.25
2961 Square yards of brick paving, on a 5 inch concrete base, with a 2 inch sand cushion, and an asphalt filler, complete in place, @ \$2.00 per sq. yd.....	5,922.00
2181 Linear feet of curbing, @ 65c per lin. ft.....	1,417.65
1429 Cubic yards of excavating @ 35c per cu. yd.....	400.15
Court costs and for levying and spreading assessment, inspec- tion fee, and all necessary and legal expenses attending the same pursuant to law.....	964.48
Total	\$16,159.28

I do further certify that in my opinion the said estimate does not exceed the probable cost of said improvement and the lawful expenses attending the same.

E. M. HENDERSON, *City Engineer.*

APPROVED June 28, 1917.

LOCAL IMPROVEMENTS—SPRINGFIELD ORNAMENTAL LIGHTS.

§ 1. Appropriates \$225.13.

§ 2. How drawn.

(HOUSE BILL No. 869. APPROVED JUNE 27, 1917.)

AN ACT *making an appropriation to pay the State's portion of special assessments against the State's property on certain streets for ornamental lighting in the City of Springfield.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the Secretary of State the sum of two hundred, twenty-five and thirteen one-hundredths dollars (\$225.13), or as much thereof as may be necessary, to pay the State's portion of special assessments levied for ornamental lighting along Adams street, from Lewis street to Tenth street, upon property belonging to the State and abutting on said Adams street, described as follows, to wit:

East Iles Addition of out-lots, lot 7.....	\$98.72;
Assessors subdivision, north-east—quarter of section 33, and part of the west one-half of the north-west quarter of section 34, township 16 range 5, lot 6.....	(\$49.36);
Old town plat, lot 1, block 18.....	\$49.36;

Total	\$197.44;
Interest on respective installments from date of maturity to July 1, 1917=.....	—\$27.69;

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant in favor of the treasurer of the city of Springfield upon a voucher issued by the Secretary of State for the amount for which the State is legally liable for the purposes specified in section 1. as shown by the certificate of the Attorney General to accompany said voucher.

APPROVED June 27, 1917.

MONUMENTS—RICHARD J. OGLESBY, UNEXPENDED BALANCE.

Preamble.

§ 2. How drawn.

§ 1. Reappropriates unexpended balance of appropriation of 1915, for construction and erection of monument.

(SENATE BILL No. 327. APPROVED MAY 5, 1917.)

AN ACT *to reappropriate so much of twenty-five thousand dollars (\$25,000) heretofore appropriated by the Forty-ninth General Assembly as shall not have been heretofore expended, for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby.*

WHEREAS: The commissioners for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby,

appointed under an Act entitled, "An Act for the appointment of commissioners for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby, in Lincoln Park, Chicago, or other public park that the commissioners may choose, and to appropriate twenty-five thousand dollars (\$25,000) therefor", approved June 28, 1915, in force July 1, 1915, have expended less than one hundred dollars (\$100) of the twenty-five thousand dollars (\$25,000) appropriated by the Forty-ninth General Assembly, by and under such Act.

WHEREAS: Such commissioners expect to soon locate a site for such monument, but will not be able to close the contract or expend the money appropriated within the time limit before the same lapses according to law, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That so much of the sum of twenty-five thousand dollars (\$25,000) as shall not have been heretofore expended be and is hereby reappropriated for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby, as provided for in an Act entitled, "An Act for the appointment of commissioners for the construction and erection of a monument to the memory of former Governor Richard J. Oglesby in Lincoln Park, Chicago, or other public park that the commissioners may choose and to appropriate twenty-five thousand dollars (\$25,000) therefor", approved June 28, 1915, in force July 1, 1915.

§ 2. The Auditor of Public Accounts is hereby authorized, empowered and directed to draw his warrants on the State Treasurer for the payment of the expenditures necessary for procuring and erecting such monument upon the presentation to him of proper vouchers therefor, certified to by the chairman of the commissioners charged with the purchase and erection of said monument and by and with the approval of the Governor, and the State Treasurer is hereby directed to pay the same out of any funds in the treasury not otherwise appropriated.

APPROVED May 5, 1917.

MONUMENT OF ULYSSES S. GRANT, AT VICKSBURG—UNEXPENDED BALANCE.

§ 1. Reappropriates unexpended balance of \$20,318.77 to Vicksburg Military Statue Commission.

(HOUSE BILL NO. 921. APPROVED JUNE 23, 1917.)

AN ACT to appropriate the unexpended balance of the appropriation made by an Act entitled: "An Act to provide for the erection of statues or other monumental commemoration, to General Ulysses S. Grant and other generals from Illinois, who commanded the army, a corps, or divisions during the campaign and siege of Vicksburg, Mississippi, and to make appropriation therefor," approved June 28, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Vicksburg Military Statue Commission, the sum of twenty thousand, three hundred eighteen and 77/100 dollars (\$20,-

318.77) being on May 17, 1917, the unexpended balance of the sum of twenty-five thousand dollars (\$25,000), appropriated to said commission by an Act entitled, "An Act to provide for the erection of statues or other monumental commemoration, to General Ulysses S. Grant and other generals from Illinois, who commanded the army, corps, or divisions during the campaign and siege of Vicksburg, Mississippi, and to make appropriation therefor," approved June 28, 1915, in force July 1, 1915.

APPROVED June 23, 1917.

MONUMENT—ULYSSES S. GRANT AND OTHER GENERALS AT VICKSBURG.

§ 1. Appropriates \$25,000.00.

§ 2. How drawn.

(HOUSE BILL NO. 616. APPROVED JUNE 25, 1917.)

AN ACT to appropriate twenty-five thousand dollars (\$25,000), for the erection of statues or other monumental commemoration to General Ulysses S. Grant and other generals from Illinois who commanded the army, a corps or divisions during the campaign and siege of Vicksburg, Mississippi.

WHEREAS: by an Act entitled, "An Act to provide for the erection of statues or other monumental commemoration to General Ulysses S. Grant and other generals from Illinois who commanded the army, a corps or divisions during the campaign and siege of Vicksburg, Mississippi, and to make an appropriation therefor," approved June 28, 1915, in force July 1, 1915, it was provided that the total expenses incurred under such Act shall not exceed the sum of fifty thousand dollars (\$50,000); and

WHEREAS: by such Act the sum of only twenty-five thousand dollars (\$25,000) has been appropriated to be applied to the purposes of such Act: and

WHEREAS: such sum of twenty-five thousand dollars (\$25,000) is insufficient for the purposes provided for in such Act; therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in addition to the twenty-five thousand dollars (\$25,000) appropriated by the Act entitled, "An Act to provide for the erection of statues or other monumental commemoration to General Ulysses S. Grant and other generals from Illinois who commanded the army, a corps or divisions during the campaign and siege of Vicksburg, Mississippi, and to make an appropriation therefor," approved June 28, 1915, in force July 1, 1915, there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000) which shall be applied to any balance that may hereafter become due under the provisions of such Act.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the payment of the cost of said statues or memorials and of designs, work, materials and services connected with the construction, delivery and erection thereof when the same shall have been constructed, delivered and erected in the places to be designated therefor by said commission in accordance

with the terms and provisions of such contract or contracts as shall be or have been made by said commission in such behalf under the provisions of such Act upon the presentation of proper vouchers therefor, certified by said commission and approved by the Governor, and also for the payment of the actual necessary expenses of said commissioners in the discharge of their duties, and the State Treasurer is authorized and directed to pay the sums named in such warrants to the extent of the appropriation herein made, out of any money in the State treasury not otherwise appropriated.

APPROVED June 25, 1917.

NATIONAL GUARD AND NAVAL BATTALION—ORDINARY AND
CONTINGENT.

- § 1. Appropriates \$452,917.00 per annum for ordinary and contingent expenses and \$50,000.00 as an emergency fund. § 2. How drawn.

(HOUSE BILL NO. 769. APPROVED MAY 5, 1917.)

AN ACT to provide for the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Battalion.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of four hundred fifty-two thousand, nine hundred seventeen dollars (\$452,917.00) per annum, or so much thereof as may be necessary is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Battalion as follows:

First. For salaries and wages, \$85,265.15 per annum for pay of officers, enlisted men, clerks and civilians.

Second. For traveling expenses, \$55,931.37 per annum.

Third. For operating supplies and expenses, other than salaries and wages and traveling expenses, \$311,720.48 per annum.

That the further sum of fifty thousand dollars (\$50,000.00) is hereby appropriated as an emergency fund to be used by the Governor in case of emergency when the Illinois National Guard or Illinois Naval Battalion are called into active duty by the Governor to protect the life and property of the citizens of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sums herein specified, upon the presentation of proper vouchers certified to as correct by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of any moneys not otherwise appropriated.

APPROVED May 5, 1917.

NATIONAL GUARD AND NAVAL MILITIA—MOBILIZATION EXPENSES.

§ 1. Appropriates \$750,000.00 for purposes enumerated.

§ 2. How drawn.

§ 3. Emergency.

(SENATE BILL NO. 587. APPROVED JUNE 21, 1917.)

AN ACT to appropriate the sum of seven hundred fifty thousand dollars for the supply, clothing, equipment, pay, transportation, preparation of camp sites and cantonments, mobilization, subsistence and incidental expenses for the National Guard and Naval Militia, volunteers or other organizations of Illinois authorized, organized or furnished by the State on a call, order, request or requisition made or hereafter made or issued by the President of the United States or organized, authorized or ordered for duty by the Governor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of seven hundred fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for the supply, clothing, equipment, pay, transportation, preparation of camp sites and cantonments, mobilization, subsistence and incidental expenses of the National Guard and Naval Militia, volunteers or other organizations of this State, authorized, organized or furnished by the State on a call, orders, request or requisition made or hereafter made or issued by the President of the United States, or organized, authorized or ordered for duty by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

§ 3. Whereas an emergency exists, this law shall take effect from and after its passage and approval.

APPROVED June 21, 1917.

NATIONAL GUARD AND NAVAL RESERVE—DEFICIENCY.

Preamble.

[§] 2. How drawn.

§ 1. Appropriates \$196,945.99.

[§] 3. Emergency.

(SENATE BILL NO. 195. APPROVED MARCH 23, 1917.)

AN ACT making an appropriation to meet the deficiencies in the appropriation to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve.

WHEREAS, The Forty-ninth General Assembly, House Bill No. 633 approved June 28, 1915, appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve, the sum of \$389,917.00 per annum for the biennial period ending June 30, 1917.

WHEREAS, During the month of June 1916, within the life of said appropriation the President of the United States called upon the Governor of the State of Illinois to furnish a prescribed quota of troops for Mexican service, and,

WHEREAS, The Governor of Illinois in conformity with this legal demand mobilized the indicated quota in excess of ten thousand soldiers and,

WHEREAS, The financial burden of such mobilization of troops falls in part both upon the Federal and State governments and,

WHEREAS, By reason of such mobilization there was of necessity and under the law expended certain sums from the appropriation made by the Forty-ninth General Assembly for the purpose of paying the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve for the biennial period ending June 30, 1917, now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly[:]* That the sum of \$196,945.99 is hereby appropriated to meet the deficiencies to pay the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve to the end of the biennial period ending June 30, 1917.

Par. [§] 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified upon the presentation of proper voucher, certified to by the Adjutant General, and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

Par. [§] 3. WHEREAS, Said sum of money hereby appropriated is immediately required, therefore an emergency exists and this Act shall take effect from and after its passage and approval.

APPROVED March 23, 1917.

NATIONAL GUARD AND NAVAL RESERVE—ARMORY BUILDINGS—
COMPLETION.

§ 1. Appropriates \$185,500.00.

§ 2. How drawn.

(HOUSE BILL NO. 660. APPROVED JUNE 26, 1917.)

AN ACT *making an appropriation of additional sums for the completion of armories now under construction.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there [be] and is hereby appropriated the sum of one hundred eighty-five thousand, five hundred dollars (185,500.00) for the completion of armories now under construction and authorized by an Act entitled, "An Act in relation to procuring of sites and for the erection of armory buildings for the use of the Illinois National Guard and Illinois Naval Reserve and making an appropriation therefor," approved June 9, 1911, in force July 1, 1911; and a further Act entitled, "An Act in relation to procuring of sites and for the erection of armory buildings for the use of the Illinois National Guard and making an appropriation therefor, and for the purchase of sites and armory buildings at Kewanee and Morrison, Illinois," approved June 28, 1913, in force July 1, 1913.

The appropriation hereby made shall be used for the completion of armories now under construction, as follows:

First Cavalry, Chicago.....	\$150,000.00
Second Infantry, Chicago.....	10,000.00
Third Infantry, Ottawa.....	22,000.00
Sixth Infantry, Galesburg.....	3,500.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the Treasurer for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED June 26, 1917.

NATIONAL GUARD AND NAVAL RESERVE—COMPLETION OF ARMORY AT MONMOUTH.

§ 1. Appropriates \$12,000.00.

§ 2. How drawn.

(SENATE BILL NO. 474. APPROVED JUNE 26, 1917.)

AN ACT making an appropriation of an additional sum for the completion of the armory now under construction at Monmouth, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of twelve thousand dollars (\$12,000), or so much thereof as shall be necessary, for the completion of an armory now under construction for the use of Company H., Sixth Infantry, at Monmouth, Illinois, originally authorized by an Act entitled: "An Act in relation to procuring of site and erection of armory for the use of the Illinois National Guard, and making an appropriation therefor," filed June 19, 1915, in force July 1, 1915.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sum herein appropriated, upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the State Treasurer shall pay the same out of any moneys in the State treasury not otherwise appropriated.

APPROVED June 26, 1917.

PENAL AND REFORMATORY INSTITUTIONS—DEFICIENCIES.

§ 1. Appropriates \$195,000.00 as follows:

§ 2. How drawn.

Illinois State Penitentiary \$90,000.00; Southern Illinois Penitentiary \$30,000.00; Illinois State Reformatory \$75,000.00.

(HOUSE BILL NO. 495. APPROVED MARCH 29, 1917.)

AN ACT making deficiency appropriations for the ordinary and contingent expenses of the Illinois State Penitentiary at Joliet, the Southern Illinois Penitentiary at Menard, and the Illinois State Reformatory at Pontiac, until July 1st, 1917, and declaring an emergency.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums, or so

much thereof as may be necessary, be and the same are hereby appropriated, to the penal and reformatory institutions herein named to provide ordinary and contingent funds necessary to carry on the business of the State until July 1, 1917.

(a) TO THE ILLINOIS STATE PENITENTIARY AT JOLIET, ILLINOIS.

Supplies, equipment and contingent fund.

For food	\$78,430.24
For fuel, materials, medical, contract and office expenses	10,569.76
For contingent expenses.....	1,000.00

Total \$90,000.00

(b) TO THE SOUTHERN ILLINOIS PENITENTIARY AT MENARD, ILLINOIS.

Supplies, equipment and contingent fund.

For food	\$26,191.29
For fuel, clothing, material, medical and office expenses.	2,808.71
For contingent expenses.....	1,000.00

Total \$30,000.00

(c) TO THE ILLINOIS STATE REFORMATORY AT PONTIAC, ILLINOIS.

Supplies, equipment and contingent fund.

For food	\$60,000.00
For fuel, clothing, material, medical and laboratory supplies	10,000.00
For transportation and money necessary to be advanced to discharged and paroled inmates.....	\$ 4,000.00
For contingent expenses.....	1,000.00

Total \$75,000.00

RECAPITULATION.

To the Illinois State Penitentiary at Joliet, Illinois.....	\$90,000.00
To the Southern Illinois Penitentiary at Menard, Illinois..	\$30,000.00
To the Illinois State Reformatory at Pontiac, Illinois.....	\$75,000.00

Grand total.....\$195,000.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums hereby appropriated upon the presentation of itemized vouchers certified to by the respective boards of commissioners or managers of the institutions herein named, signed by the president and attested by the secretary with the seal of the institution, and approved by the Governor, and the State Treasurer is hereby authorized and directed to pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary to meet the deficiency herein mentioned, therefore, an emergency exists, and this Act shall take effect and be in full force from and after its passage and approval.

APPROVED March 29, 1917.

PENAL AND REFORMATORY—STATE INSTITUTIONS, ORDINARY.

§ 1. Appropriates \$2,773,014.00.

§ 4. Requisition for supplies drawn on Director of Public Welfare.

§ 2. Building and grounds \$35,000.00.

§ 5. Warrants—how drawn.

§ 3. Terms defined.

(HOUSE BILL NO. 907. APPROVED JUNE 29, 1917.)

AN ACT making appropriations for the Illinois State Penitentiary, the Southern Illinois Penitentiary and the Illinois State Reformatory.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated for the ordinary operating expenses, maintenance expenses and equipment of the State penal and reformatory institutions for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of two million, seven hundred seventy-three thousand, fourteen (2,773,014.00) dollars, for the following objects and purposes:

	FIRST YEAR.	SECOND YEAR.
For salaries and wages.....	\$328,282.00	\$328,282.00
For departmental office expense.....	16,900.00	16,900.00
For traveling expense.....	15,100.00	15,100.00
For operating supplies and expense.....	546,300.00	546,300.00
For industrial working capital.....	395,000.00	395,000.00
For school supplies.....	7,125.00	7,125.00
For repairs to present buildings, grounds and equipment.....	35,300.00	35,300.00
For equipment	35,000.00	35,000.00

The appropriations for operating expenses, maintenance expenses and equipment herein made shall be apportioned among the several State penal and reformatory institutions in the several amounts and for the several purposes set forth below:

ILLINOIS STATE PENITENTIARY, AT JOLIET.

For salaries and wages:

For warden	\$ 5,000 per annum
For deputy warden....	2,200 per annum
For physician	2,200 per annum
2 chaplains @ \$1500...	3,000 per annum
5 parole agents @ \$1500	7,500 per annum
For steward	1,800 per annum
For matron	600 per annum
For dentists	1,200 per annum
For superintendent of parole	2,200 per annum

For salaries and wages—

Continued.

For chief engineer....	\$ 2,000 per annum
For chief clerk.....	1,800 per annum
For assistant deputy warden	1,800 per annum
For warden house stew- ard	1,200 per annum
For record clerk.....	1,200 per annum
For institution stenog- rapher	1,200 per annum
For domestic science teacher	1,200 per annum
For electrician	1,200 per annum
For superintendent of camps	1,200 per annum
For carpenter	900 per annum
For stationary engineer	1,200 per annum
For receiving and dis- charging officer.....	1,080 per annum
For chauffeur	900 per annum
For band master.....	900 per annum
For 2 farm guards @ \$900	1,800 per annum
For housekeeper	600 per annum
For trained nurse.....	900 per annum
For 50 guards @ \$780	39,000 per annum
For 40 guards @ \$660	26,400 per annum
For 1 clerk	1,500 per annum
For 1 guard	1,200 per annum
For 1 guard	780 per annum
For 2 foremen furniture department @ \$1,200	2,400 per annum
For 1 foreman reed and rattan department...	1,500 per annum
For 1 foreman reed and rattan department...	1,200 per annum
For 1 foreman reed and rattan department...	960 per annum
For foreman stone quarry	1,200 per annum
For quarryman	960 per annum
For superintendent road camp	1,500 per annum
For superintendent fur- niture department...	2,000 per annum
For superintendent reed and rattan department	2,000 per annum

For salaries and wages—

Concluded.

FIRST YEAR. SECOND YEAR.

For superintendent shoe department	\$ 1,620 per annum	
For superintendent four-dry department.....	1,200 per annum	
Total	\$132,200.00	\$132,200.00
For departmental office expense.....	11,000.00	11,000.00
For traveling expense.....	8,000.00	8,000.00
For operating supplies and expense.....	240,000.00	240,000.00
For industrial working capital.....	225,000.00	225,000.00
For repairs to present buildings, grounds and equipment.....	18,000.00	18,000.00
For equipment	15,000.00	15,000.00
To replace buildings and machinery damaged by fire.....	10,000.00	

SOUTHERN ILLINOIS PENITENTIARY, AT MENARD.

For salaries and wages:

For warden	\$ 5,000 per annum
For deputy warden....	2,200 per annum
For physician	2,200 per annum
For 2 chaplains @ \$1,500 each.....	3,000 per annum
For steward	1,200 per annum
For 2 parole agents @ \$1,500	3,000 per annum
For chief engineer.....	1,800 per annum
For barnman	1,200 per annum
For assistant deputy warden	1,500 per annum
For institution chief clerk	1,560 per annum
For institution book-keeper	900 per annum
For dentists	1,200 per annum
For cook	480 per annum
For housekeeper	600 per annum
For florist	900 per annum
For institution stenographer	900 per annum
For parole clerk.....	1,200 per annum
For carpenter	780 per annum
For 4 guards @ \$840..	3,360 per annum
For 4 guards @ \$900..	3,600 per annum
For 13 guards @ \$780.	10,140 per annum
For 15 guards @ \$720.	10,800 per annum
For 10 guards @ \$660.	6,600 per annum
For mason	762 per annum

For salaries and wages—

Concluded.

FIRST YEAR. SECOND YEAR.

For gardener	\$ 1,020 per annum	
For clergymen	300 per annum	
For organist	300 per annum	
For 1 foreman quarry..	1,800 per annum	
For 1 assistant foreman quarry	1,200 per annum	
For 1 foreman knitting factory	1,500 per annum	
For 1 assistant foreman knitting factory	1,200 per annum	
For 1 foreman clothing factory	1,800 per annum	
For 1 foreman brick yard	1,500 per annum	
For 1 bookkeeper.....	900 per annum	
For 2 guards @ \$900..	1,800 per annum	
For 2 guards @ \$840..	1,680 per annum	
For 18 guards @ \$780.	14,040 per annum	
For 4 guards @ \$720..	2,880 per annum	
Total	\$ 96,802.00	\$ 96,802.00
For departmental office expense.....	\$ 3,000.00	\$ 3,000.00
For traveling expense	2,600.00	2,600.00
For operating supplies and expenses.....	160,000.00	160,000.00
For industrial working capital.....	100,000.00	100,000.00
For repairs to present buildings, grounds and equipment	4,300.00	4,300.00
For school supplies	125.00	125.00
For equipment	6,000.00	6,000.00

ILLINOIS STATE REFORMATORY, AT PONTIAC.

For salaries and wages:

For superintendent	\$ 4,000 per annum
For assistant superin- tendent	1,800 per annum
For chief clerk.....	1,800 per annum
For physician	1,200 per annum
For chief engineer.....	1,500 per annum
For 2 chaplains @ \$1,- 200	2,400 per annum
For assistant chief clerk	960 per annum
For trained nurse.....	900 per annum
For stenographer	900 per annum
For housekeeper	600 per annum
For superintendent's sec- retary	900 per annum
For engineer	900 per annum

For salaries and wages—

Concluded.	FIRST YEAR. SECOND YEAR.	
For engineer	\$ 840 per annum	
For electrician	900 per annum	
For bandmaster	960 per annum	
For deputy	900 per annum	
For deputy	840 per annum	
For turnkey	840 per annum	
For superintendent of farm	1,200 per annum	
For blacksmith	1,080 per annum	
For 8 trade school in- structors @ \$840 and 2 @ \$900.....	8,520 per annum	
For 10 teachers @ \$720	7,200 per annum	
For 10 guards @ \$780.	7,800 per annum	
For 25 guards @ \$720.	18,000 per annum	
For 3 chefs @ \$720....	2,160 per annum	
For 2 painters @ \$720.	1,440 per annum	
For organist	300 per annum	
For supt. of schools....	840 per annum	
For dentists	900 per annum	
For plumber	780 per annum	
For florist	840 per annum	
For gardener	720 per annum	
For 2 parole commis- sioners @ \$1,500....	3,000 per annum	
For receiving and dis- charging officer	840 per annum	
For foreman printing department	1,800 per annum	
For bookbinder, print- ing department	1,500 per annum	
For bookbinder, print- ing department	1,200 per annum	
For printer	1,200 per annum	
For pressman	1,200 per annum	
For foreman fibre de- partment	1,500 per annum	
For 2 fibre workers @ \$1,200	2,400 per annum	
For 4 fibre workers @ \$1,080	4,320 per annum	
For 5 fibre workers @ \$900	4,500 per annum	
For night watchman...	900 per annum	
Total	\$ 99,280.00	\$ 99,280.00
For departmental office expense.....	\$ 2,900.00	\$ 2,900.00
For traveling expense	4,500.00	4,500.00

	FIRST YEAR.	SECOND YEAR.
For operating supplies and expense.....	\$146,300.00	\$146,300.00
For industrial working capital.....	70,000.00	70,000.00
For school supplies	7,000.00	7,000.00
For repairs to present buildings, grounds and equipment	13,000.00	13,000.00
For equipment	14,000.00	14,000.00

§ 2. There is hereby appropriated for improvements to buildings and grounds in the State penal and reformatory institutions for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of thirty-five thousand (\$35,000.00) dollars, for the following objects and purposes:

ILLINOIS STATE PENITENTIARY, AT JOLIET.

*For fencing on farm.....	\$1,000.00 [Vetoed]
*For cribs and granaries.....	5,000.00 [Vetoed]

ILLINOIS STATE REFORMATORY, AT PONTIAC.

*For covering steam pipes.....	\$4,000.00 [Vetoed]
For water mains and sewer extensions.....	7,000.00
*For steam heating and plumbing.....	8,000.00 [Vetoed]
For contribution to septic tank.....	5,000.00
For sinking Artesian well and testing and drilling for coal.....	\$5,000.00

§ 3. The term "Salaries and Wages," as used in this Act, shall mean and include salaries, wages and other compensation for personal service.

The term "Departmental Office Expense," as used in this Act, shall mean and include postage, telephone, telegraph, rent, office supplies, express, freight, drayage, printing and binding; for departments and institutions.

The term "Traveling Expenses," as used in this Act, shall mean and include railroad fares, hotel bills, livery hire, street car fares and similar personal expenses incurred wholly in the State service.

The term "Operating Supplies and Expenses," as used in this Act, shall mean and include fuel, food, wearing apparel, household supplies, plant and departmental supplies and institutional operating expenses.

The term "Industrial Working Capital," as used in this Act, shall mean and include all supplies in connection with the industrial operations (raw materials, industrial supplies, etc.) of the State institutions, the State parks and canals.

The term "Repairs on Present Buildings, Grounds and Equipment," as used in this Act, shall mean and include replacements, but not betterments. Such repairs may be under contract in whole or in part, or may be by the direct use of labor, materials and service.

The term "School Supplies," as used in this Act, shall mean and include supplies used for distinctly educational purposes, and not included in other classes.

The term "Equipment," as used in this Act, shall mean and include equipment of permanent value, including furniture, fixtures, machinery, scientific apparatus, live stock, vehicles, maps, books, educational equipment and recreational equipment.

§ 4. The Director of Public Welfare shall draw requisitions upon the Director of Public Works and Buildings for supplies, material and services for the construction and repairs of buildings, and for the purchase of lands under the appropriations made herein and the Director of Public Works and Buildings is authorized to incur obligations and make contracts under the appropriations herein, as specified in sections 49 and 51 of the Civil Administrative Code.

§ 5. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the Treasurer under the appropriations made herein upon the presentation of vouchers certified to as correct by the Director of the Department of Public Works and Buildings and the Director of Public Welfare and approved by the Director of Finance.

APPROVED (except as to those items disapproved in my veto message) June 29, 1917.

* Indicates vetoed.

June 28, 1917.

To the Honorable, the House of Representatives of the General Assembly of Illinois:
I herewith return House Bill No. 907, entitled, "An Act making appropriations for the Illinois State Penitentiary, the Southern Illinois Penitentiary and the Illinois State Reformatory."

I veto and withhold my approval from the following items therein contained:

In Section 2, the following items:

"Illinois State Penitentiary, at Joliet—

"For fencing on farm.....\$1,000.00

"For cribs and granaries.....\$5,000.00

"Illinois State Reformatory, at Pontiac—

"For covering steam pipes.....\$4,000.00

"For steam heating and plumbing.....\$8,000.00"

Respectfully submitted,

FRANK O. LOWDEN, Governor.

Filed July 3, 1917.

LOUIS L. EMMERSON, Secretary of State.

PORTRAIT OF BARRATT O'HARA.

§ 1. Appropriates \$500.00.

§ 2. How drawn.

(SENATE BILL No. 1. APPROVED APRIL 26, 1917.)

AN ACT to make an appropriation for the painting of a portrait of former Lieutenant Governor Barratt O'Hara.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That there be and hereby is appropriated the sum of five hundred (\$500.00) dollars for the purposes of a painting of the portrait of former Lieutenant Governor Barratt O'Hara, such portrait to be painted by such artist as he may designate, and placed in a frame and hung in an appropriate position in the office of the President of the Senate.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer, for the sum herein appropriated, payable out of the money in the treasury, not otherwise appropriated, upon the order of the President of the Senate on proper vouchers certified to by him.

APPROVED April 26, 1917.

PORTRAIT OF EDWARD F. DUNNE.

§ 1. Appropriates \$1,000.00.

§ 2. How drawn.

(HOUSE BILL NO. 52. APPROVED FEBRUARY 28, 1917.)

AN ACT *to make an appropriation for the painting of a portrait of former Governor Edward F. Dunne.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated the sum of one thousand dollars (\$1,000), or so much thereof as may be necessary, for the purpose of the painting of a portrait of former Governor Edward F. Dunne, such portrait to be painted by such artist as he may designate, and placed in a frame and hung in an appropriate position in the office of the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sum herein appropriated upon the order of the Governor on proper vouchers duly certified to by him.

APPROVED February 28, 1917.

RECORD OF BURIAL PLACES OF SOLDIERS AND SAILORS.

§ 1. Amends title, and adds section 4 to Act of 1915.

§ 2. Title as amended.

§ 4. Adjutant General to appoint person to visit cemeteries and locate burial places of soldiers and sailors and supervise the setting up of head stones furnished by the Federal Government—appropriates \$10,000.00 for salary and and expenses.

(SENATE BILL NO. 77. FILED JUNE 21, 1917.)

AN ACT *to amend an Act entitled, "An Act to provide for the making of a record of the burial places of soldiers and sailors," approved June 25, 1915, in force July 1, 1915, by amending the title thereto and by adding a new section to be known as section four (4).*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the making of a record of the burial places of soldiers and sailors" approved June 25, 1915, in force July 1, 1915, be and the same is hereby amended by amending the title thereto and by adding a new section to be known as section four (4), the title when amended and a new section when added to read as inserted at length herein.

§ 2. The title as amended shall read as follows: "An Act to provide for the making of a record of the burial places of soldiers and sailors and for locating the burial places of soldiers and sailors and reporting the same to the Federal government, and transporting to such burial places, and setting up, headstones provided by the Federal government."

§ 4. For the purpose of locating the burial places of soldiers and sailors and reporting to the United States government under the provisions of the Federal law respecting the erection of headstones at the graves of soldiers and sailors of the army of the United States, the

Adjutant General shall secure the services of some qualified person for a period of two (2) years, whose duty it shall be to inspect the records made under sections one (1), two (2) and three (3) of this Act, to visit the cemeteries of the State and by any other reliable means to locate the burial place of each person who served in the military or naval service of the United States and report the same, together with the number of the regiment and designation of the company in which each such soldier served, and of the command, if in the marine service, the rank and period of service, with the name and location of the cemetery and the location of the grave in such cemetery, to the proper Federal authorities.

It shall also be the duty of said employee to superintend the transportation of monuments or headstones, furnished by the Federal government, from the point of delivery on the railroad carrying the same to the graves of such soldiers or sailors and the setting up thereof at such graves.

Such employee shall receive for his services one thousand eight hundred (\$1,800) dollars per annum and shall be reimbursed his necessary traveling expenses not to exceed one thousand eight hundred (\$1,800) dollars per annum, and shall be provided with a motor vehicle.

To carry out the provisions of this Act, there is hereby appropriated for compensation of such employee.....\$ 3,600

For the traveling expenses of such employee.....\$ 3,600

(Or so much thereof as may be necessary.)

For a motor vehicle.....\$ 400

For transportation and setting up headstones.....\$ 2,400

Total\$10,000

The Auditor of Public Accounts is hereby authorized and directed upon presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, to draw his warrants for the sums above specified, or so much thereof as shall be necessary, upon the State Treasurer, and the State Treasurer is directed to pay the same out of any funds in the State treasury not otherwise appropriated.

FILED June 21, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-first day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

RELIEF—CYCLONE VICTIMS.

§ 1. Appropriates \$275,000.00.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL NO. 1016. APPROVED JUNE 27, 1917.)

AN ACT to provide an appropriation for the purpose of furnishing relief to the people living in those sections of the State recently visited by a destructive cyclone.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the sum of two hundred and*

seventy-five thousand dollars (\$275,000), or so much thereof as may be necessary, is hereby appropriated for the purpose of supplying blankets, cots, tentage, bed-sacks, straw, rations, clothing and other relief and assistance to the people affected by and living in those sections of the State visited by a destructive cyclone on May 26 and 27, 1917.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants for the sum herein specified upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, an emergency exists, therefore this Act shall be in full force and effect after the date of its passage and approval.

APPROVED June 27, 1917.

RELIEF—DESTITUTE MINERS AT ROYALTON.

§ 1. Appropriates \$8,800.00.

§ 3. How drawn.

§ 2. Director of Department of Public Welfare to distribute funds—report.

(HOUSE BILL NO. 941. APPROVED JUNE 25, 1917.)

AN ACT *making an appropriation for the relief of the suffering and destitute miners at Royalton, Illinois, and the families and dependents of miners who lost their lives in the mine disaster at Royalton, Illinois.*

WHEREAS, by an Act of approval and in force June 28, 1915, the General Assembly appropriated the sum of twenty-six thousand dollars (\$26,000.00) for the relief of the families and dependents of miners who lost their lives in the mine disaster at Royalton, Illinois; and

WHEREAS, the payment of said sum of twenty-six thousand dollars (\$26,000.00) was directed to be made to the Board of Administration, and its distribution committed to said board; and

WHEREAS, in the exercise of the discretion to said board under said Act, all of said sum of twenty-six thousand dollars (\$26,000.00) has not yet been distributed; and

WHEREAS, the necessities of the families and dependents aforesaid require that further assistance be rendered them; and

WHEREAS, there remains in the hands of said Board of Administration yet unexpended a balance of eight thousand, eight hundred dollars (\$8,800.00); and

WHEREAS, under and by virtue of the Civil Administrative Code enacted in the present General Assembly, and taking effect July 1, 1917, the work of the Board of Administration is committed to the Department of Public Welfare; and

WHEREAS, the unexpended balance aforesaid will, without reappropriation, be returned to the general fund, and thereby not available for payment to the families and dependents aforesaid;

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eight thousand eight hundred dollars (\$8,800.00) be and the same is hereby reappropriated out of money in the State treasury, not otherwise appropriated, for the relief of the suffering and destitute miners of Royalton, Illinois,

and the families and dependents of miners who lost their lives in the mine disaster at Royalton, Illinois.

§ 2. It shall be the duty of the Director of the Department of Public Welfare to distribute the money herein reappropriated to the persons intended to be benefited by this Act, and to use said money for the benefit of the persons intended to be relieved in such manner as in the judgment of said Director will best relieve such suffering and destitute people. Said Director shall, when his duty under this Act shall have been fully discharged, make a full and detailed report to the Governor as to the manner in which said moneys have been distributed.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum of eight thousand eight hundred dollars (\$8,800.00.) payable to said Director of the Department of Public Welfare upon a requisition signed by said Director of the Department of Public Welfare, and attested by the seal of said Department; and the Treasurer is authorized to pay the same out of any moneys on hand not otherwise appropriated.

APPROVED June 25, 1917.

RELIEF—EVA PUTNAM, SALARY DUE JAMES D. PUTNAM.

§ 1. Appropriates \$2,000.00.

§ 3. Emergency.

§ 2. How drawn.

(SENATE BILL NO. 196. APPROVED MARCH 24, 1917.)

AN ACT making an appropriation for the payment of the balance of salary due to James D. Putnam, a member of the Fiftieth General Assembly from the Eighteenth Senatorial District, and making the said salary payable to Eva Putnam, the widow of the said James D. Putnam.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of two thousand (2,000) dollars to Eva Putnam, widow of James D. Putnam, for the payment of the balance of salary due to James D. Putnam now deceased, who was a member of the Fiftieth General Assembly from the Eighteenth Senatorial District.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer in favor of the said Eva Putnam for the sum hereby appropriated.

§ 3. WHEREAS, an emergency exists, this Act shall take effect from and after its passage.

APPROVED March 24, 1917.

RELIEF—EXECUTRIX, SALARY JAMES A. CREIGHTON.

§ 1. Appropriates \$1,666.67 to executrix.

(HOUSE BILL NO. 586. APPROVED JUNE 25, 1917.)

AN ACT making an appropriation to the executrix of James A. Creighton, deceased, late circuit judge of the Seventh judicial district of the State of Illinois.

WHEREAS, James A. Creighton, of the City of Springfield, Sangamon county, Illinois, departed this life on the fifteenth day of Decem-

ber, 1916, and at the time of his death, and for more than thirty-one consecutive years prior thereto, was and had been a duly elected, qualified and acting circuit judge in the Seventh judicial district of this State; and,

WHEREAS, the salary of said James A. Creighton as such circuit judge has been drawn up to the date of his decease only; and,

WHEREAS, at a special election called to fill the vacancy of circuit judge in the Seventh judicial district of the State of Illinois caused by the death of the said James A. Creighton, a successor has been duly elected, and whose qualification to fill the said vacancy caused by the death of the said James A. Creighton is set for April 16th, 1917, and said office will remain vacant until the date of said qualification, now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of sixteen hundred sixty-six dollars and sixty-seven cents (\$1666.67) be and the same is hereby appropriated to the executrix of the last will and testament of James A. Creighton, deceased, being the amount of salary as circuit judge as aforesaid from December 15, 1916, to April 16, 1917, and the Auditor of Public Accounts is hereby authorized and directed to draw his warrant in said amount on the State Treasurer in favor of such executrix for the payment thereof out of any funds in the State treasury not otherwise appropriated.

APPROVED June 25, 1917.

RELIEF—FOOT AND MOUTH, DISEASE, CLAIMS.

§ 1. Appropriates \$97,777.49.

§ 2. How drawn.

(HOUSE BILL NO. 1038. APPROVED JUNE 28, 1917.)

AN ACT *making an appropriation for the payment of expenses, costs and charges connected with the control and the eradication of the foot and mouth disease during the years 1914, 1915 and 1916, and the payment of certain claims for horses that were destroyed on account of the contagion of glanders.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of ninety-seven thousand seven hundred seventy-seven and forty nine hundredths dollars (97,777.49) dollars or so much thereof as shall be necessary, be and the same is hereby appropriated out of any funds in the State treasury not otherwise appropriated, to reimburse and pay for animals destroyed on account of the epidemic of foot and mouth disease, horses destroyed on account of the disease of glanders, damages, advances, costs, charges and expenses incurred for services, appraisable [appraisals], livery hire, heaters, printing, blankets, lime, supplies postage, maintenance, lanterns, sign boards, disinfectants, teaming, serum, veterinarian services and expenses guards' services and expenses, and all damages and expenses incurred on account of foot and mouth disease and glanders as hereinafter set forth, for the suppression and eradication of foot and mouth

disease and the contagion of glanders in horses presented herewith to the following named persons in the several and respective sums as herein stated, to-wit:

BUREAU COUNTY.

Veterinarian claims, to be paid in full.

H. W. Asche.....	Granville	\$	25.74
J. C. Rasmussen.....	Wyanet		46.25

CARROLL COUNTY.

Veterinarian claims, to be paid in full.

J. R. Snively.....	Lanark	\$	13.50
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Miscellaneous claims, to be paid in full.

Fred Allanson.....	Mt. Carroll, appraiser...		5.00
E. W. Puterbaugh.....	Lanark, appraiser.....		5.00
G. C. Roderick.....	Lanark, appraiser.....		5.00

CHRISTIAN COUNTY.

Veterinarian claims, to be paid in full.

H. L. Campbell.....	Kincaid	\$	100.92
A. C. Etchison.....	Assumption		297.32
B. E. Frailey.....	Pana		119.17
W. A. Johnston.....	Taylorville		782.22
A. R. Kincaid.....	Stonington		365.67
R. A. Luzader.....	Morrisonville		286.45
H. C. Singer.....	Pana		196.57

COLES COUNTY.

Veterinarian claim, to be paid in full.

C. S. Hayward.....	Mattoon	\$	44.00
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COOK COUNTY.

Veterinarian claims, to be paid in full.

C. P. Draper.....	Arlington Heights.....	\$	194.60
W. O. Farley.....	Chicago		72.75
A. G. Gieske.....	Barrington		210.00
E. E. Gieske.....	Wheeling		291.95
W. L. McFall.....	Chicago Heights.....		57.00
J. A. Stoeckinger.....	Chicago		348.80

*Guard claims, 50% of which has been paid by the U. S.**Government.*

H. W. Hayden.....	Chicago		119.90
John Peterson.....	Chicago		9.15
Frank Smykal.....	Chicago		29.90

COOK COUNTY—Concluded.

Miscellaneous claims, to be paid in full.

Champion Chemical Co.....	Chicago, lime.....	\$ 117.76
Chgo. Live Stock World.....	Chicago, printing.....	25.00
U. S. Rubber Co.....	Chicago, supplies.....	85.27
Drovers Jrnl. Pub. Co.....	Chicago, printing.....	4.75
Kollier & Banks.....	Willow Springs, lanterns	1.00
H. A. Landwer.....	Barrington, appraiser...	6.00
Peter Lucas.....	Palos Park, sign board..	.75
W. I. Martin.....	Barrington, appraiser...	6.00
August Meyer, Chicago.....	Glanders horses destroyed	210.00
R. M. Patterson.....	Chicago, cash advanced..	39.45
B. J. Shanley.....	Chicago, cash advanced..	5.00
H. A. Schafer.....	Barrington, appraiser...	6.00
Jas. Schlubert.....	Lemont, services.....	8.00
Stock Yds. H. & S. Co.....	Chicago, services.....	70.20
Jerry Studnecke.....	Lemont, services.....	8.00

Miscellaneous claims, 50% of which has been paid by the Government.

*National Dairy Show Association	\$60,667.62	[Vetoed]
Motor Service Corporation.....	Chicago, service rendered	291.03

DEKALB COUNTY.

Veterinarian claim, to be paid in full.

F. N. Rowan.....	DeKalb	\$ 33.86
J. H. Ryan.....	Sycamore	32.00

Guard claim, 50% of which has been paid by the U. S. Government.

Hoyt Wilcox.....	Hinckley	6.25
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DEWITT COUNTY.

Veterinarian claim, to be paid in full.

A. W. Smith.....	Farmer City.....	\$ 35.00
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DOUGLAS COUNTY.

Veterinarian claim, to be paid in full.

J. F. Gillispie.....	Tuscola	\$ 33.04
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DUPAGE COUNTY.

Veterinarian claim, to be paid in full.

A. M. Sherwood.....	Naperville	\$ 17.00
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Miscellaneous claim, 50% of which has been paid by the U. S. Government.

George E. Franzen.....	Bensenville, lime & service	3.31
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FAYETTE COUNTY.

Veterinarian claim, to be paid in full.

D. L. Travis.....	Vandalia	\$	31.42
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FORD COUNTY.

Veterinarian claims, to be paid in full.

I. S. Alford.....	Paxton	\$	24.00
H. M. Wakelin.....	Roberts		35.40

FULTON COUNTY.

Veterinarian claims, to be paid in full.

O. L. Campbell.....	Astoria	\$	26.10
W. Leslie Hollister.....	Avon		163.50

GREENE COUNTY.

Veterinarian claim, to be paid in full.

E. B. Giller.....	White Hall.....	\$	12.00
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GRUNDY COUNTY.

Veterinarian claim, to be paid in full.

E. E. Robinson.....	Mazon	\$	45.54
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HANCOCK COUNTY.

Veterinarian claim, to be paid in full.

R. D. Denton.....	Carthage	\$	24.60
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HENRY COUNTY.

Veterinarian claim, to be paid in full.

J. D. Durack.....	Geneseo	\$	54.00
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JACKSON COUNTY.

Veterinarian claim, to be paid in full.

John Armstrong.....	Carbondale	\$	11.00
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JO DAVIESS COUNTY.

Veterinarian claim, to be paid in full.

G. W. Evert.....	Galena	\$	39.00
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KANE COUNTY.

Veterinarian claim, to be paid in full.

Weese & Lane.....	Aurora	\$	16.35
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KANE COUNTY—Concluded.

Guard claim, to be paid in full.

B. E. Richardson.....Geneva\$ 50.00

Miscellaneous claim, 50% of which has been paid by the U. S. Government.

Elburn Lumber Co.....Elburn, lime..... 47.02

KANKAKEE COUNTY.

Veterinarian claim, to be paid in full.

W. J. Martin.....Kankakee\$ 104.70

KNOX COUNTY.

Miscellaneous claim, to be paid in full.

S. R. Swanson.....Galesburg, appraiser....\$ 17.16

LAKE COUNTY.

Veterinarian claims, to be paid in full.

O. F. Butterfield.....Libertyville\$ 24.00

L. H. Coulson.....Grays Lake 916.96

Thomas Douglas.....Lake Forest..... 42.00

Guard claims, to be paid in full.

J. J. Conway.....Deerfield 22.37

John Herbert.....Lake Bluff (board, rent,
services) 155.50

Mathias Zahnle.....Prairie View..... 26.25

Guard claims, 50% of which has been paid by the U. S. Government.

David Adams.....Waukegan 36.00

J. T. Ayers.....Libertyville 4.50

William A. Back.....Prairie View..... 15.00

L. S. Bradbury.....Waukegan 186.00

John Carroll.....Deerfield 48.75

J. W. Doyle.....Libertyville 13.12

Robert S. Grice.....Waukegan 179.25

Wm. Huhn.....Deerfield 3.75

F. J. Larsen.....Waukegan 18.00

Michael H. O'Boyle.....Deerfield 5.00

James O'Connor.....Deerfield 4.00

Philip Seigele.....Highwood 58.75

Robert Vickerman.....Lake Forest..... 30.00

*Miscellaneous claims, 50% of which has been paid by the U. S. Government.*Scott and Grace Durand, Lake Forest, 64 head of cattle and
13 hogs\$14,625.00

Property destroyed 469.69

Total\$15,094.69

Libertyville Lumber Co.....Libertyville, lime..... 31.55

LAKE COUNTY—Concluded.

Miscellaneous claims, to be paid in full.

H. G. Boonstra.....	Libertyville, auto service.\$	137.40
(Assigned to J. N. Bernard, Libertyville)		
John E. Barrett.....	Prairie View, services...	75.00
Burke & Wright.....	Waukegan, heater.....	4.15
W. W. Carroll & Son.....	Libertyville, blankets....	4.93
C. W. Chandler.....	Gurnee, auto service.....	69.00
1st [First] National Bank.....	Libertyville, postage.....	2.16
Keystone Printing Service.....	“ service	2.25
C. H. Krueger.....	Prairie View, auto service	101.20
(Assigned to Dr. J. A. Stoeckinger, Chicago, Ill.)		
J. J. Lancaster.....	Everitt, supplies.....	14.18
A. A. McMillen.....	Grays Lake, livery.....	5.00
Charles E. Russell.....	Lake Forest, supplies....	15.00
Waukegan Oil Co.....	Waukegan, oil.....	12.75

LA SALLE COUNTY.

Veterinarian claims, to be paid in full.

Glen D. Grogen.....	Mendota	\$ 97.29
A. J. Legner.....	Leland	12.00

Miscellaneous claims, 50% of which has been paid by the U. S. Government.

J. C. Schroeder.....	Marseilles, teaming.....	280.00
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LEE COUNTY.

Veterinarian claim, to be paid in full.

L. B. Swingley.....	Dixon	\$ 48.00
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LIVINGSTON COUNTY.

Veterinarian claims, to be paid in full.

H. A. Pressler.....	Fairbury	\$ 95.25
W. A. Weldon.....	Dwight	11.00

Guard claim, 50% of which has been paid by the U. S. Government.

S. H. Boyer.....	Dwight	30.00
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MACON COUNTY.

Veterinarian claim, to be paid in full.

C. C. Mills.....	Decatur	\$ 18.88
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MACOUPIN COUNTY.

Veterinarian claim, to be paid in full.

C. A. Moore.....	Carlinsville	\$ 33.50
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MARSHALL COUNTY.

Veterinarian claim, to be paid in full.

W. A. Meyers.....Wenona\$ 430.34

MASON COUNTY.

Veterinarian claim, to be paid in full.

L. E. Thompson.....Mason City.....\$ 657.44

MONTGOMERY COUNTY.

Veterinarian claim, to be paid in full.

H. M. Snyder.....Farmersville\$ 43.00

McDONOUGH COUNTY.

Veterinarian claims, to be paid in full.

F. E. Brown.....Blandinsville\$ 83.40

H. B. Cale.....Macomb1,993.12

James R. Fesler.....Bushnell672.50

Guard claim, 50% of which has been paid by the U. S. Government.

Ora Gardner.....Bardolph\$ 154.00

Miscellaneous claims, to be paid in full.

Edgar Bartlett.....Marietta, livery.....33.00

Bushnell Record.....Bushnell, printing.....36.00

Charles E. Chain....." ".....47.50

Ora Gardner.....Bardolph, livery.....80.00

McHENRY COUNTY.

Veterinarian claim, to be paid in full.

W. W. Lichty.....Woodstock\$ 878.41

McLEAN COUNTY.

Veterinarian claim, to be paid in full.

A. G. Alverson.....Bloomington\$ 18.12

MORGAN COUNTY.

Veterinarian claim, to be paid in full.

Charles E. Scott.....Jacksonville\$ 22.00

PEORIA COUNTY.

Veterinarian claim, to be paid in full.

Mrs. John Scott.....Peoria (widow).....\$ 35.16

RICHLAND COUNTY.

Veterinarian claim, to be paid in full.

C. E. Lucas.....Olney\$ 9.14

ROCK ISLAND COUNTY.

Veterinarian claim, to be paid in full.

E. R. Kennedy.....Moline\$ 22.50

SHELBY COUNTY.

Veterinarian claim, to be paid in full.

E. A. Jenkins.....Shelbyville\$ 30.88

STARK COUNTY.

Veterinarian claims, to be paid in full.

J. L. Montooth.....Bradford\$ 290.35

H. A. White.....Wyoming 43.50

Guard claim, 50% of which has been paid by the U. S. Government.

James K. Fuller.....Toulon\$ 586.18

TAZEWELL COUNTY.

Veterinarian claim, to be paid in full.

J. T. Nattress.....Delavan\$ 19.50

VERMILION COUNTY.

Veterinarian claims, to be paid in full.

H. A. Greer.....Danville\$ 82.21

C. E. Hammerberg.....Rankin 29.94

WARREN COUNTY.

Veterinarian claim, to be paid in full.

F. G. Patch.....Roseville\$ 510.80

WAYNE COUNTY.

Veterinarian claim, to be paid in full.

G. E. Bradham.....Cisne\$ 12.00

WHITE COUNTY.

*Miscellaneous claim, to be paid in full.*L. H. Cook.....Gossett, glanders horses
destroyed\$ 200.00

WHITESIDE COUNTY.

Veterinarian claim, to be paid in full.

E. B. McClure.....Morrison\$ 24.48

WILL COUNTY.

Veterinarian claims, to be paid in full.

J. L. McEwan.....	Frankfort	\$	2.50
J. L. McLaren.....	Joliet		100.80
C. Howard Spangler.....	Lockport		84.40

Miscellaneous claim, fifty per cent of which has been paid by the United States Government.

John C. Baker, Manhattan, for the unpaid balance of appraised value not paid by the State of Illinois or the United States Government, of 127 head of cattle and 35 hogs...\$6,519.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed, upon presentation of proper vouchers covering the certified bill and approved by the Governor, to issue his warrants upon the State Treasurer for the aforesaid sums of money, payable to the said respective parties for the several sums as indicated in section No. 1 of this Act, to each respective claimant or to his or their respective legal representatives, and the State Treasurer is hereby authorized and directed to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED (except as to those items disapproved in my veto message) June 28, 1917.

* Indicates vetoed.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.
SPRINGFIELD, June 28, 1917.

To the Honorable, the House of Representatives:

I return herewith House Bill No. 1038, entitled, "An Act making an appropriation for the payment of expenses, costs and charges connected with the control and the eradication of the foot-and-mouth disease during the years 1914, 1915 and 1916, and the payment of certain claims for horses that were destroyed on account of the contagion of glanders," with my approval, except for the following item which is vetoed:

Page 4, section 1:

In the 4th line from the bottom of the page:

"National Dairy Show Association.....\$60,667.62."

I have disapproved of this item with great reluctance. I have given the matter full consideration and I do not find that any claim has been allowed on account of the foot-and-mouth disease, except in cases where the animals have been slaughtered by officials of the State. Indirect losses have so far been disallowed. The indirect losses to the farmers of the State, generally, on account of the epidemic of foot-and-mouth disease have doubtless amounted to several million dollars. If this claim be approved, the State would be deluged with other claims for indirect losses.

Respectfully submitted,

FRANK O. LOWDEN, Governor.

RELIEF—AWARDS BY COURT OF CLAIMS.

§ 1. Appropriates \$141,448.01.

§ 2. How drawn.

(HOUSE BILL NO. 1007. APPROVED JUNE 28, 1917.)

AN ACT entitled, "An Act making an appropriation for the payment of the amounts awarded by the Court of Claims to certain persons and companies named therein."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of one hundred forty-one thousand four hundred and 1/100 (\$141,448.01) dollars, to pay awards made by the Court of

Claims during the sessions of 1915 and 1916 to the following named persons and companies:

To Emma Metzger, on account of inheritance tax collected erroneously and paid into the State treasury, seven hundred eighty-five and 86/100 (\$785.86) dollars.

To Augustus Albert Carpenter, executor of the last will and testament of Augustus A. Carpenter, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, two thousand twenty and 47/100 (\$2,020.47) dollars.

To J. F. Schmidt Brothers Company, on account of an amount due on a building contract with the Western Illinois State Normal School, one thousand sixty-one and 00/100 (\$1,061.00) dollars.

To the Merchants' Loan and Trust Company, as trustee under the last will and testament of Arthur W. Masters, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, six hundred sixty-two and 96/100 (\$662.96) dollars, together with interest at three per cent per annum from January 22, 1910, amounting to one hundred forty-eight and 72/100 (\$148.72) dollars, making a total award of eight hundred eleven and 68/100 (\$811.68) dollars.

To Katharine S. Lechleiter, on account of a refund of a license fee paid to the Secretary of State for a charter to incorporate, fifty-five and 00/100 (\$55.00) dollars.

To the Western Grain Products Company, on account of a refund of a license fee paid into the State treasury to sell feed stuffs, one hundred and 00/100 (\$100.00) dollars.

To Michael Heitler, on account of money advanced for expenses in returning a fugitive from justice, one hundred forty-five and 00/100 (\$145.00) dollars.

To Timothy E. Coughlan, on account of inheritance tax collected erroneously and paid into the State treasury one thousand eighty-eight and 17/100 (\$1,088.17) dollars, together with interest at three per cent per annum from March 25, 1910, amounting to two hundred thirty-eight and 96/100 (\$238.96) dollars, making a total award of one thousand three hundred twenty-seven and 13/100 (\$1,327.13) dollars.

To Lewis L. Clarke, on account of inheritance tax collected erroneously and paid into the State treasury, sixty-six and 67/100 (\$66.67) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to twelve and 80/100 (\$12.80) dollars, making a total award of seventy-nine and 47/100 (\$79.47) dollars.

To Mary C. Case, on account of inheritance tax collected erroneously and paid into the State treasury, sixty-six and 67/100 (\$66.67) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to twelve and 80/100 (\$12.80) dollars, making a total award of seventy-nine and 47/100 (\$79.47) dollars.

To Corinne I. Clarke, on account of inheritance tax collected erroneously and paid into the State treasury, sixty-six and 67/100 (\$66.67) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to twelve and 80/100 (\$12.80)

dollars, making a total award of seventy-nine and 47/100 (\$79.47) dollars.

To Alice C. Redfield, on account of inheritance tax collected erroneously and paid into the State treasury, sixty-six and 67/100 (\$66.67) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to twelve and 80/100 (\$12.80) dollars, making a total award of seventy-nine and 47/100 (\$79.47) dollars.

To Dumont Clarke, Jr., on account of inheritance tax collected erroneously and paid into the State treasury, sixty-six and 67/100 (\$66.67) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to twelve and 80/100 (\$12.80) dollars, making a total award of seventy-nine and 47/100 (\$79.47) dollars.

To E. Stanley Clarke, on account of inheritance tax collected erroneously and paid into the State treasury, forty-three and 56/100 (\$43.56) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to eight and 36/100 (\$8.36) dollars, making a total award of fifty-one and 92/100 (\$51.92) dollars.

To Juliette E. Clarke, on account of inheritance tax collected erroneously and paid into the State treasury, forty-three and 56/100 (\$43.56) dollars, together with interest at three per cent per annum from February 7, 1911, amounting to eight and 36/100 (\$8.36) dollars, making a total award of fifty-one and 92/100 (\$51.92) dollars.

To Clarence A. Burley, as executor of and trustee under the last will and testament of Elizabeth J. Whitney, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one hundred ninety and 00/100 (\$190.00) dollars, together with interest at three per cent per annum from March 30, 1911, amounting to thirty-five and 64/100 (\$35.64) dollars, making a total award of two hundred twenty-five and 64/100 (\$225.64) dollars.

To the Chicago and Alton Railroad Company, on account of demurrage charges on cars of coal consigned to the Illinois State penitentiary, one thousand five hundred five and 00/100 (\$1,505.00) dollars.

To Irving Loveridge Pulver, on account of inheritance tax collected erroneously and paid into the State treasury, eighty-three and 62/100 (\$83.62) dollars, together with interest at three per cent per annum from September 30, 1912, amounting to eleven and 92/100 (\$11.92) dollars, making a total award of ninety-five and 54/100 (\$95.54) dollars.

To George Marsh Pulver, on account of inheritance tax collected erroneously and paid into the State treasury, eighty-three and 2/100 (\$83.02) dollars, together with interest at three per cent per annum from September 30, 1912, amounting to eleven and 84/100 (\$11.84) dollars, making a total award of ninety-four and 86/100 (\$94.86) dollars.

To the Northern Trust Company, as trustee under the last will and testament of John W. Maitland, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one thousand four hundred forty-three and 16/100 (\$1,443.16) dollars.

To the Northern Trust Company, as trustee under the last will and testament of Samuel Lockwood Brown, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, sixty-five and 31/100 (\$65.31) dollars.

To Herman Weller and Jacob E. Klick, as testamentary trustees of the estate of Mina Lorenz, on account of inheritance tax collected erroneously and paid into the State treasury, one hundred eighty-eight and 9/100 (\$188.09) dollars.

To Edward W. Eaton, Charlotte G. Gardiner, Marian A. Wade, Jessie M. Taylor and Ethel B. Gassneck, on account of inheritance tax erroneously collected and paid into the State treasury, two hundred forty-five and 45/100 (\$245.45) dollars, together with interest at three per cent per annum from September 16, 1912, amounting to thirty-five and 28/100 (\$35.28) dollars, making a total award of two hundred eighty and 73/100 (\$280.73) dollars.

To Thomas McGuire, on account of services rendered the Department of the Auditor of Public Accounts, four thousand twenty-three and 20/100 (4,023.20) dollars.

To Alice P. Tapley, executrix of the estate of Anna S. Tapley, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one thousand three hundred five and 71/100 (\$1,305.71) dollars.

To the Western Limited Gas and Electric Company, on account of a refund of a license fee paid to the State Public Utilities Commission, seven hundred twenty and 00/100 (\$720.00) dollars.

To Edwin H. Pease, executor of the last will and testament of John H. Pease, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, eight hundred twenty-seven and 33/100 (\$827.33) dollars.

To William T. Stautz, on account of damages to a horse hired to the Illinois National Guard, one hundred ninety-five and 38/100 (\$195.38) dollars.

To William B. Hale, William P. Sidley and Thomas W. Swan, executors and trustees of the estate of George W. Hale, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, ten thousand nine hundred seventy-eight and 89/100 (\$10,978.89) dollars.

To Mary Sutter, on account of damages done to her property by blasting in a quarry at the Illinois State penitentiary at Joliet, Illinois, seven hundred fifty and 00/100 (\$750.00) dollars.

To Clara Darin Lozza, on account of damages done to her property by blasting in a quarry at the Illinois State penitentiary at Joliet, Illinois, five hundred and 00/100 (\$500.00) dollars.

To the county of Will, on account of costs and expenses in conducting trial and execution of prisoner for a crime committed within the confines of the Illinois State penitentiary at Joliet, Illinois, two thousand eight hundred seventy-eight and 74/100 (\$2,878.74) dollars.

To David Rutter Company, on account of extra labor and expenses required to complete a contract for the delivery of coal, to the Peoria

State Hospital, twelve thousand eight hundred seventy-three and 59/100 (\$12,873.59) dollars.

To Charles W. O'Neill, on account of amount due under a contract with the State Board of Administration, three hundred [three] and 59/100 (\$303.59) dollars.

To Charles W. O'Neill on account of amount due under a contract with the State Board of Administration, two hundred thirty-six and 00/100 (\$236.00) dollars.

To Earl G. Howarth, on account of damages for injuries received while in the performance of his duties as a member of the Illinois Naval Reserve, eight hundred and 00/100 (\$800.00) dollars.

To Hal C. Smith, on account of damages for injuries received while in the performance of his duties as a member of the Illinois Naval Reserve, four hundred and 00/100 (\$400.00) dollars.

To R. C. English and E. C. English, co-partners, doing business as English Brothers, on account of a refund of an amount forfeited to the State on a building contract with the State Board of Administration, four thousand five hundred and 00/100 (\$4,500.00) dollars.

To Mary A. Cummings, on account of a refund of inheritance tax collected erroneously and paid into the State treasury, one thousand four hundred twenty-eight and 2/100 (\$1,428.02) dollars.

To Fred C. Weis, on account of back salary due as clerk for the State Mining Board, on account of illegal removal by the State Civil Service Commission, one thousand five hundred thirty-eight and 42/100 (\$1,538.42) dollars.

To Thomas L. Atkinson, on account of salary due as clerk for the State Board of Administration on account of illegal removal by the State Civil Service Commission, one thousand seven hundred thirty and 35/100 (\$1,730.35) dollars.

To Julius C. Skoog, on account of salary due as clerk for the Insurance Department on account of illegal removal by the State Civil Service Commission, ninety-seven and 20/100 (\$97.20) dollars.

To T. A. Broadbent, on account of money advanced for expenses as member of the Illinois State Board of Dental Examiners, one hundred twenty-four and 10/100 (\$124.10) dollars.

To Marie D. Gaines, on account of an amount due for money advanced for expenses on the account of the Illinois State Board of Dental Examiners, during November, 1914, fifty-one and 35/100 (\$51.35) dollars.

To O. H. Seifert, on account of expenses incurred in performance of duties as secretary of State Board of Dental Examiners, during November and December, 1914, one hundred nineteen and 20/100 (\$119.20) dollars.

To Gideon M. Dempsey, on account of an amount due for money advanced for expenses for the account of the Illinois State Board of Dental Examiners during November and December, 1914, one hundred eighty-seven and 77/100 (\$187.77) dollars.

To Walsh Construction Company, on account of balance due on contract in connection with construction of retaining wall at Cairo, Illinois, five thousand six hundred fifty-seven and 95/100 (\$5,657.95) dollars.

To city of Charleston, Illinois, on account of water furnished to Eastern Illinois State Normal School, four thousand two hundred (\$4,200.00) dollars.

To Michigan Boulevard Building Company, on account of balance due for rent of rooms occupied by the Appellate Court of the First District, four thousand eight hundred three and 75/100 (\$4,803.75) dollars.

To Richard M. Hoe, Tracy Dows, Thatcher T. P. Luquer, James L. Mitchell, United States Trust Company of New York, executors of the last will and testament of Alexander Ector Orr, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one thousand three hundred forty-three and 84/100 (\$1,343.84) dollars.

To Fred W. Smith, executor of the last will and testament of Thomas P. Smith, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, four thousand seven hundred fifty-three and 11/100 (\$4,753.11) dollars.

To Michael Chambers, on account of damages to property caused by erection of Second Regiment Armory in Chicago, twenty-five hundred (\$2,500) dollars.

To American Missionary Association, a corporation, on account of inheritance tax collected erroneously and paid into the State treasury, one thousand seven hundred three and 34/100 (\$1,703.34) dollars.

To Merritt Starr, on account of money advanced for postage, express, etc., in the suit of People ex rel. v. Economy Light & Power Company, ten and 84/100 (\$10.84) dollars.

To Barnard & Miller, a corporation of Chicago, Illinois, on account of balance due for printing abstracts and briefs in the case of People ex rel v. Economy Light & Power Company, two hundred fifty-six and 92/100 (\$256.92) dollars.

To W. M. Wilkinson, on account of back salary due as clerk at the Jacksonville State Hospital, on account of illegal removal by the State Civil Service Commission, six hundred ninety-four and 00/100 (\$694.00) dollars.

To Thomas DeWitt Cuyler, executor of the last will and testament of Maria DeWitt Jesup, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, nine thousand seventy-eight and 30/100 (\$9,078.30) dollars.

To Carl P. Dennett and George F. Griffin, executors of the last will and testament of Thomas A. Griffin, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, forty-one thousand eight hundred sixty-five and 2/100 (\$41,865.02) dollars.

To Eugene Warfel, on account of damages for injuries received while in the performance of his duties as a member of the Illinois National Guard, six thousand five hundred (\$6,500) dollars.

To Clarence A. Burley, as executor of and trustee under the last will and testament of Elizabeth J. Whitney, deceased, on account of inheritance tax collected erroneously and paid into the State treasury,

one hundred ninety and 00/100 (\$190.00) dollars, together with interest at three per cent per annum from March 30, 1911, amounting to thirty-five and 64/100 (\$35.64) dollars, making a total award of two hundred twenty-five and 64/100 (\$225.64) dollars.

To Patrick H. Giblin, on account of damages for injuries received at Camp Lincoln, while in the performance of his duties as Commissary Clerk in Adjutant General's Department five hundred eighty and 80/100 dollars (\$580.80).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer in favor of said persons, respectively, for the amounts hereby appropriated, payable out of money in the treasury not otherwise appropriated.

APPROVED June 28, 1917.

REPAIRS TO STATE ARSENAL AND EQUIPMENT AT STATE RIFLE RANGE,
CAMP LOGAN.

§ 1. Appropriates \$26,950.00.

§ 2. How drawn.

(HOUSE BILL NO. 659. APPROVED JUNE 4, 1917.)

AN ACT to make an appropriation for necessary repairs at State Arsenal, Springfield, Illinois, and necessary repairs, installation target machines, and additions to equipment at State rifle range, Camp Logan, near Zion City, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$26,950 or so much thereof as may be necessary, is hereby appropriated to pay for the necessary repairs at State Arsenal, Springfield, Illinois, and necessary repairs, installation target machines, and additions to equipment at State rifle range, Camp Logan, near Zion City, Illinois, as follows:
State Rifle Range:

Mess hall improvement.....	\$ 6,500.00
Toilet and septic tank system.....	6,000.00
Barn	500.00
Team and harness.....	400.00
Painting	550.00
Firing lines	500.00
Target machines	2,500.00

State Arsenal, Springfield:

Re-flooring, cutting partitions, re-roofing, radiation, repairs to skylights, windows and doors.....	\$10,000.00
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§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the Treasurer for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED June 4, 1917.

RURAL POST ROADS—APPROPRIATION.

- § 1. Acceptance of Federal Act approved July 11, 1916, for the building of rural post roads. § 2. State pledged.

(HOUSE BILL NO. 578. APPROVED JUNE 27, 1917.)

AN ACT *in relation to the construction and maintenance of rural post roads under and in accordance with an Act of Congress entitled, "An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," approved July 11th, 1916, and known as the Federal Aid Road Act.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the General Assembly, constituting the Legislature of the State of Illinois, hereby assents to the provisions, terms, conditions and purposes of the Act of Congress, approved July 11th, 1916 (39 Stat. 1. 355), entitled, "An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," known as the Federal Aid Road Act.

§ 2. The good faith of the State is hereby pledged to make available, funds sufficient to equal the sums apportioned to this State by the United States for each of the five years in which Federal funds are appropriated by the said Act of Congress, and to maintain the roads constructed under the provisions of said Act, and to make suitable and adequate provision for maintenance of such roads.

§ 3. The Department of Public Works and Buildings is hereby authorized and instructed to enter into all agreements with the Secretary of Agriculture relating to the selection, construction and maintenance of rural post roads under the provisions of the said Act of Congress, to submit such scheme or project of selection, construction and maintenance as may be required by the Secretary of Agriculture, and to do all things necessary fully to carry out and make effective the co-operation contemplated and provided for by said Act. All such rural post roads shall be known as Federal Aid Roads.

§ 4. All sums of money which may have accrued or may hereafter, before the 1st. day of July, A. D. 1919, accrue to the State of Illinois, under the provisions of said Act of Congress, are hereby appropriated to the Department of Public Works and Buildings to be paid out only for the construction of Federal Aid Roads in accordance with the provisions of said Act, and whenever any portion of said money shall be received by the State Treasurer it shall immediately be placed to the credit of a fund to be known as the Federal Aid Road fund to be paid out only for the construction of Federal aid roads in accordance with the provisions of said Act upon order or certification of the Department of Public Works and Buildings.

§ 5. There is hereby appropriated to the Department of Public Works and Buildings the sum of six hundred and sixty-three thousand dollars (\$663,000.00) to be available July 1st, 1917, and the sum of six hundred and sixty-three thousand dollars (\$663,000.00) to be available July 1st 1918, to be known as the Federal Aid Road Fund, for the purpose of meeting the apportionment which has been made to the State of Illinois under the said Act of Congress, and to be used only in

construction of such roads as may be agreed upon by the Department of Public Works and Buildings and the Secretary of Agriculture, as provided in the said Act, and to be paid out upon order or certification of the Department of Public Works and Buildings

§ 6. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant or warrants on the State Treasurer for the sums hereby appropriated, payable only out of the "road fund" upon itemized bills, certified to by the Department of Public Works and Buildings and approved by the Department of Finance.

§ 7. The Department of Public Works and Buildings is hereby authorized and empowered to prepare, in accordance with the regulations of the Secretary of Agriculture, the project statements, sketch maps, surveys, plans, specifications, estimates, bid forms, contracts and bonds to be used in connection with the construction of any of the Federal Aid Roads in this State. Any contracts that may be entered into for the construction of Federal Aid Roads shall be let after due public advertisement to the lowest responsible bidder, or bidders, upon terms and conditions to be fixed by said Department of Public Works and Buildings, subject to the approval of the Department of Finance, and said Department of Public Works and Buildings shall also require the successful bidder, or bidders, to furnish good and sufficient bonds to insure proper and prompt completion of such work in accordance with the provisions of said contracts.

§ 8. The Department of Public Works and Buildings is hereby given power and authority to construct any work provided for herein and to purchase and supply any labor, tools, machinery, supplies and materials needed for any such work. Such construction work and labor provided for in this Act shall be done and performed in accordance with the general laws of this State, and under the direct supervision of the Department of Public Works and Buildings, subject to the inspection and approval of the Secretary of Agriculture and in accordance with his rules and regulations. Partial payments to an amount not exceeding ninety per centum of the work done may be made as the work progresses.

§ 9. Whenever the making of any part of said proposed improvement, or the locating of a route or any part thereof, or the obtaining of road building materials for the work provided for herein, will require that private property be taken or damaged, said Department of Public Works and Buildings, in its name, shall have the right to purchase the necessary land from the owner thereof, or if compensation therefor cannot be agreed upon, to have such just compensation ascertained and to acquire and pay for such property in the same manner, as near as may be, as provided for in the Act of this State entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10th, 1872, in force July 1st, 1872, and the amendments thereto: *Provided, however*, that said Department of Public Works and Buildings shall not be required, in any case, to furnish bond.

§ 10. The Department of Public Works and Buildings is hereby authorized, empowered and directed to take whatever steps may be

necessary, after said roads have been completed, to cause said roads to be properly maintained in accordance with the requirements of said Federal Aid Road Act.

§ 11. No railroad, railway, telegraph, telephone, pipe line or any other public utility company or person shall locate, place or construct its track, rails, poles, wires, pipe lines or any other equipment in, upon or along any Federal Aid Road, without the consent of the Department of Public Works and Buildings. Such consent may be granted for any period not longer than twenty years upon petition of the company or person desiring to use such road, upon such terms and conditions, not inconsistent with this Act, as said Department of Public Works and Buildings shall deem for the best interests of the public: *Provided*, that no such consent shall be granted except upon the condition that such petitioner will pay to the owners of the property abutting upon such Federal Aid Road all damages which such owners may sustain by reason of the location, placing or construction of any such track, rails, poles, wires, pipe lines, or other equipment in, upon or along such Federal Aid Roads, such damages to be ascertained and paid in the manner provided by law for the exercise of the right of eminent domain.

APPROVED June 27, 1917.

SALARIES OF CERTAIN OFFICERS AND FORMER OFFICERS OF ILLINOIS STATE PENITENTIARY.

Preamble.

§ 2. How drawn.

§ 1. Appropriates \$1,738.87 to the persons named.

(HOUSE BILL NO. 545. APPROVED JUNE 23, 1917.)

AN ACT entitled, "*An Act to make an appropriation to pay the salaries of certain officers and former officers of the Illinois State Penitentiary for the month of June, 1915.*"

WHEREAS, the commissioners, warden, physician, steward, chaplains, deputy warden and turnkeys of the Illinois State Penitentiary at Joliet, Illinois, have not received their pay for the month of June 1915; and,

WHEREAS, the appropriation out of which they had previously been paid also appropriated moneys for the ordinary and contingent expenses of said penitentiary; and,

WHEREAS, it is illegal to appropriate money to pay the salaries of officers of the State Government in an Act containing appropriations for other purposes; and

WHEREAS, there is no other appropriation out of which said officers may be paid; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the following sums to pay the salaries of the following named persons holding, or having held, the respective offices in the Illinois State Penitentiary as follows:

To James J. McGrath, commissioner, one hundred and twenty-five (\$125) dollars; Charles W. Faltz, commissioner, one hundred and twenty-five (\$125) dollars; Ralph R. Tilton, commissioner, one hundred

and twenty-five (\$125) dollars; Edmund M. Allen, warden, four hundred sixteen dollars and sixty-six cents (\$416.66); Lawrence Ryan, deputy warden, eighty-five dollars and fifty-five cents (\$85.55); William Walsh, deputy warden (8 days), fifty-three dollars and thirty-two cents (\$53.32); Reverend A. J. Patrick, chaplain, one hundred and twenty-five (\$125) dollars; Reverend P. Crumbley, chaplain, one hundred and twenty-five (\$125) dollars; George W. Brock, physician, one hundred eighty-three dollars and thirty-four cents (\$183.34); D. C. Fleming, steward, one hundred and fifty (\$150) dollars; P. A. Erickson, turnkey, seventy-five (\$75) dollars; C. M. Rodgers, turnkey, seventy-five (\$75) dollars; F. J. Sullivan, turnkey, seventy-five (\$75) dollars.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State treasury in favor of said persons, respectively, and the State Treasurer is hereby authorized and directed to pay the same out of any moneys in the State treasury not otherwise appropriated.

APPROVED June 23, 1917.

SECRETARY OF STATE—DEFICIENTY TO JULY 1, 1917.

§ 1. Appropriates \$24,500.00 for certain purposes.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL NO. 53. APPROVED FEBRUARY 9, 1917.)

AN ACT to make an appropriation to the Secretary of State to provide funds necessary to carry on the business of the State to July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twenty-four thousand five hundred dollars (\$24,500), be and the same is hereby appropriated to the Secretary of State, to provide funds necessary to carry on the business of the State to July 1, 1917, for the purposes herein named:

For the contingency fund.....	\$ 3,500.00
Telephone and telegraph service.....	400.00
Light and telephone, Chicago office.....	200.00
Postage, automobile department.....	7,000.00
Typewriters	700.00
Desks, chairs, files, equipment.....	300.00
Fuel at the power plant.....	1,000.00
Machinery and repairs.....	500.00
Electrical fixtures.....	500.00
Water	1,000.00
Extra help, automobile department.....	6,000.00
Two additional elevator operators.....	900.00
For incidental expense, care, custody and maintenance of State House and grounds during the sessions of the Fiftieth General Assembly of the State of Illinois.....	2,500.00

Total\$24,500.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed, upon the presentation of proper vouchers, to draw his warrants for the sum appropriated, and the State Treasurer is hereby authorized

and directed to pay the same out of any moneys in the treasury not otherwise appropriated.

§ 3. WHEREAS, the moneys above appropriated are immediately required; therefore, an emergency exists, and this Act shall take effect and be in full force from and after its passage and approval.

APPROVED February 9, 1917.

APPROPRIATION TO SECRETARY OF STATE TO MEET SPECIAL
ASSESSMENTS IN CITY OF SPRINGFIELD.

§ 1. Appropriation of \$23,418.04 for special assessments on account of paving and street lighting.

§ 2. Warrants to be drawn upon vouchers of Secretary accompanied with certificate of Attorney General—estimate of cost.

(HOUSE BILL NO. 868. APPROVED JUNE 26, 1917.)

AN ACT making an appropriation to pay the State's portion of assessments for local improvements in and along certain streets in the city of Springfield upon which the State's property abuts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the Secretary of State the sum of twenty-three thousand, four hundred eighteen and four one-hundredths dollars (\$23,418.04), or so much thereof as may be necessary to pay the State's portion of special assessments for local improvements made by the city of Springfield in, upon and along certain streets upon which property of the State abuts in the city of Springfield, namely:

For paving as follows:

South one-half of Monroe street, Spring street to Second street;

West one-half of Second street, Monroe street to south line of Capitol avenue;

North one-half of Monroe street, First street to Second street;

East one-half of First street, Monroe street to Adams street;

South one-half of Adams street, First street to Second street;

West one-half of Second street, Adams street to Monroe street; and

South one-half of Capitol avenue, Second street, east to the east property line of the site of the Supreme Court building, together with court costs, levying and spreading assessments, inspection fees, and all necessary and legal expenses attending the same pursuant to law.

Also for electric street lighting in, upon and along the following named streets:

South side of Monroe street, Spring street to Second street;

West side of Second street, Monroe street to Edwards street;

North side of Edwards street, Second street to Spring street;

East side of Spring street, Edwards street to Monroe street;

East side of First street, Monroe street to Adams street;

North side of Monroe street, First street to Second street;

West side of Second street, Monroe street to Adams street;

South side of Capitol avenue, Second street east to the east line of the site of the Supreme Court building; and

East side of Second street, Capitol avenue, south to the south line of the site of the Supreme Court building, together with court costs,

levying and spreading assessments, inspection fees, and all necessary and legal expenses attending the same pursuant to law.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants against said appropriations in favor of the treasurer of the city of Springfield, or other officer entitled to receive the same, upon vouchers duly executed by the Secretary of State, accompanied by a certificate of the Attorney General to the liability of the State for the amount of such voucher or respective vouchers, and that the amount or amounts specified in said voucher or vouchers is or are legally due under the laws of the State, the ordinances of the city of Springfield authorizing said improvements, and the legal proceedings pursuant thereto.

Estimate of the cost assessed to the State of Illinois for the wood block pavement to be laid in Monroe street, from Spring street to Second street; in First street from Monroe street to Adams street; in Adams street from First street to Second street; in Second street, from Adams street to the south line of Capitol avenue; in Capitol avenue from Second street east to the east line of the Supreme Court building grounds; all in the city of Springfield, Illinois, including labor, material and the lawful expenses attending the same is the sum of \$12,924.05 itemized as follows:—

South one-half of Monroe street, Spring street to Second street	800 square yds.
West one-half of Second street, Monroe street to south line of Capitol ave.....	870 square yds.
North one-half of Monroe street, First street to Second street	500 " "
East one-half of First street, Monroe street to Adams street	700 " "
South one-half of Adams street, First street to Second street	700 " "
West one-half of Second street, Adams street to Monroe street	800 " "
South one-half of Capitol avenue, Second street east to the east property line of the Supreme Court grounds..	507 " "

Total	4,877
4,877 square yards of creosoted wood block pavement, including the removing of the present wearing surface, excavating, grading, necessary creosoted wood blocks, sand, gravel and cement for six inch concrete foundation, sand and cement one inch in thickness for cushion, asphalt filler for interstices between the wood blocks, bitumen for expansion joint and labor at \$2.50 per square yard.....	\$12,192.50
Cost to cover court cost, levying and spreading assessment, inspecting fees, and all necessary and legal expenses attending the same pursuant to law.....	731.55

Total	\$12,924.05
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I do further certify that in my opinion the said estimate does not exceed the probable cost of said improvement and the lawful expenses attending the same.

WADE D. SEELY, *City Engineer*.

APPROVED June 26, 1917.

SITES AND ERECTION OF ARMORY BUILDINGS AT KEWANEE AND MORRISON.

§ 1. Reappropriates unexpended balance.

(SENATE BILL NO. 400. APPROVED JUNE 26, 1917.)

AN ACT to reappropriate the unexpended balance of appropriations made by an Act entitled "An Act in relation to procuring of sites and erection of armory buildings for the use of the Illinois National Guard and making appropriation therefor and for the purchase of sites and armory buildings at Kewanee and Morrison, Illinois" approved June 28, 1913, in force July 1, 1913, and a further Act entitled "An Act making appropriation of additional sum for the completion of armories now under construction" approved June 29, 1915, in force July 1, 1915, and a further Act entitled "An Act in relation to the procuring of site and erection of an armory for the use of the Illinois National Guard at Kankakee," approved June 29, 1915 and in force July 1, 1915, and a further Act entitled "An Act in relation to the procuring of site and erection of armory for the use of the Illinois National Guard and making appropriation therefor" filed June 19, 1915, in force July 1, 1915, and a further Act entitled "An Act in relation to procuring of site and erection of armory building for the use of the Illinois National Guard and Illinois Naval Reserve and making appropriation therefor" approved June 28, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the unexpended balance on May 16, 1917, the respective amounts of which are hereinafter specified, of appropriations made for the several purposes specified in 'An Act in relation to procuring of sites and erection of armory buildings for the use of the Illinois National Guard and making appropriation therefor and for the purchase of sites and armory buildings at Kewanee and Morrison, Illinois,' approved June 28, 1913, in force July 1, 1913, the unexpended balances thereof being on May 16, 1917: First Cavalry \$114,197.74, 6th Infantry, Galesburg, \$1,071.47, and a further Act entitled, "An Act making appropriation for the additional sum for the completion of armories now under construction," approved June 29, 1915, in force July 1, 1915, the unexpended balance thereof being on May 16, 1917, \$53.80 and a further Act entitled, 'An Act in relation to the procuring of site and erection of an armory for the use of the Illinois National Guard at Kankakee,' approved June 29, 1915, and in force July 1, 1915, the unexpended balances thereof being on May 16, 1917, \$75,000, and a further Act entitled, "An Act in relation to the procuring of site and erection of an armory for the use of the Illinois National Guard and

making appropriation therefor,' filed June 19, 1915, in force July 1, 1915, the unexpended balance thereof being on May 16, 1917, \$49,027.04; and a further Act entitled, 'An Act in relation to procuring of site and erection of armory building for the use of Illinois National Guard and Illinois Naval Reserve and making appropriation therefor,' approved June 28, 1915, in force July 1, 1915, the unexpended balance thereof being on May 16, 1917, \$33,000; the appropriation hereby made being for the several purposes expressed in said Acts, to be paid out of State treasury for said purposes and in the manner in said Acts provided. The appropriations hereby made shall be in addition to any appropriation heretofore made or hereafter made for said purposes respectively.

APPROVED June 26, 1917.

STATE AID ROADS.

§ 1. Appropriates \$1,100,000.00.

§ 2. How drawn.

(HOUSE BILL NO. 1005. APPROVED JUNE 26, 1917.)

AN ACT making an appropriation from the road fund for the building and maintaining of State aid roads in the several counties of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated from the road fund to the Department of Public Works and Buildings for the purpose of building and maintaining State aid roads in the several counties of the State for the year beginning July 1, 1917, and ending June 30, 1918, the sum of one million one hundred thousand dollars (1,100,000.00), and for the year beginning July 1, 1918, and ending June 30, 1919, the sum of one hundred thousand dollars (\$100,000), or so much of such sums as may be required: *Provided* that any unexpended balance which may remain to the credit of the Department of Public Works and Buildings at the close of the year ending June 30, 1918, shall extend over and be subject to the order of the Department of Public Works and Buildings for the purpose of building and maintaining State aid roads in the several counties of the State during the year beginning July 1, 1918; and also that any unexpended balance which may remain to the credit of the Department of Public Works and Buildings at the close of the year ending June 30, 1919, shall extend over and be subject to the order of the Department of Public Works and Buildings for the purpose of building and maintaining State aid roads in the several counties of the State during the period beginning July 1, 1919, and ending with the close of the first fiscal quarter after the adjournment of the Fifty-first General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the afore-said sums of money upon the order of the Department of Public Works and Buildings, signed by the Director of said Department, and approved by the Director of Finance: *Provided*, said order shall be accompanied by a detailed statement showing the amounts expended, specifying and purpose of such expenditure and clearly distinguishing amounts expended for the building from those of maintaining State aid roads and

showing location as to county and particular section or division, in such county, of roads on which such expenditures are made.

APPROVED June 26, 1917.

STATE AID ROADS—UNEXPENDED BALANCE.

§ 1. Appropriates \$1,173,979.07.

§ 2. How drawn.

(HOUSE BILL No. 1004. APPROVED JUNE 26, 1917.)

AN ACT *making an appropriation for the building and maintaining of State aid roads in the several counties of the State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Department of Public Works and Buildings for the purpose of building and maintaining State aid roads, the balance of the amount heretofore appropriated by the Forty-ninth General Assembly to the State Highway Commission for the purpose of building and maintaining State aid roads remaining unexpended on the 8th day of June, 1917, amounting to the sum of one million, one hundred seventy-three thousand, nine hundred seventy-nine and 7/100 dollars (\$1,173,979.07), or so much of said balance as may remain unexpended on July 1, 1917. The said Department of Public Works and Buildings is hereby authorized to use so much of the amount herein appropriated as may be necessary for the purpose of constructing State aid roads in any county of the State which has accepted its allotment of State aid funds and passed a preliminary resolution and which resolution has been approved by the State Highway Commission prior to July 1, 1917; and to use the balance of the amount herein appropriated for the building and maintaining of State aid roads in the several counties of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sums of money upon the order of the Department of Public Works and Buildings, signed by the Director of said Department, and approved by the Director of Finance: *Provided*, said order shall be accompanied by a detailed statement showing the amounts expended, specifying the purpose of such expenditure and clearly distinguishing amounts expended for the building from those of maintaining State aid roads and showing location as to county and particular section or division, in such county, of roads on which such expenditures are made.

APPROVED June 26, 1917.

STATE BOARD OF DENTAL EXAMINERS—DEFICIENCY.

§ 1. Appropriates \$100.00 for expenses.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL No. 1011. APPROVED JUNE 25, 1917.)

AN ACT *making an appropriation to meet a deficiency in the appropriation for the expenses of the Illinois State Board of Dental Examiners.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred

dollars (\$100.00), or so much thereof as may be necessary, be and the same is hereby appropriated for the expenses of the Illinois State Board of Dental Examiners to and including the 30th day of June, A. D. 1917.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrents for the sum hereby appropriated, upon the presentation of itemized vouchers, certified to by the secretary of the Illinois State Board of Dental Examiners, and approved by the Governor.

§ 3. WHEREAS, an emergency exists, therefore, this Act shall be in force from and after its passage and approval.

APPROVED June 25, 1917.

STATE BOARD OF DENTAL EXAMINERS—DEFICIENCY.

§ 1. Appropriates \$1,200.00 for per diem of members.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL No. 1010. APPROVED JUNE 25, 1917.)

AN ACT making an appropriation to meet a deficiency in the appropriation for the per diem of members of the Illinois State Board of Dental Examiners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand two hundred dollars (\$1,200.00), or so much thereof as may be necessary, be and the same is hereby appropriated to pay the per diem of members of the Illinois State Board of Dental Examiners, to and including the 30th day of June, A. D. 1917.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sum hereby appropriated, upon the presentation of itemized vouchers, certified to by the secretary of the Illinois State Board of Dental Examiners, and approved by the Governor.

§ 3. WHEREAS, an emergency exists, therefore, this Act shall be in force from and after its passage and approval.

APPROVED June 25, 1917.

STATE COUNCIL OF DEFENSE.

§ 1. Creates State Council of Defense.

§ 7. All State agencies to cooperate and render assistance.

§ 2. Number — appointment — terms of office—chairman.

§ 8. Office rooms and supplies.

§ 3. Qualifications for membership.

§ 9. Refusal of person to comply with subpoena or to testify—penalty.

§ 4. Duties of State Council of Defense.

§ 10. Appropriates \$50,000.00 to carry out provisions of Act.

§ 5. Powers of State Council of Defense.

§ 11. Emergency.

§ 6. Compensation.

(SENATE BILL No. 488. APPROVED MAY 2, 1917.)

AN ACT to establish a State Council of Defense, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby established a State Council of Defense.

§ 2. The State Council of Defense shall consist of fifteen persons who shall be appointed by the Governor by and with the advice and consent of the Senate. Their term of office shall be for the duration of the war in which the United States is now engaged, and no longer. The Governor shall designate the member who shall act as chairman.

§ 3. The members of the State Council of Defense shall be appointed with reference to their special knowledge of labor, industries, public utilities, the development of natural resources, sanitation, finance, transportation, or some other subject matter relating to National or State defense.

§ 4. It shall be the duty of the State Council of Defense:

(1) To cooperate with and assist the Council of National Defense in the execution of the duties prescribed by an Act of the Congress of the United States approved August 29, 1916, entitled, "An Act making appropriations for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and seventeen and for other purposes," or any Act amendatory thereof or supplemental or additional thereto;

(2) To cooperate with councils of defense in other states in so far as such cooperation is in harmony with the policies of the Council of National Defense;

(3) To carry out within the State of Illinois such plans of National defense as are mutually agreed upon between it and the Council of National Defense;

(4) To recommend to the Governor and to the General Assembly the enactment of such laws as are, in its judgment, necessary, in time of war, to the common defense or the public welfare.

§ 5. The State Council of Defense shall have power:

(1) To adopt rules for its internal government and procedure;

(2) To form advisory and other committees outside of its membership;

(3) To organize subordinate bodies for its assistance in special investigations;

(4) To appoint, without reference to the State Civil Service Law, experts, stenographers and clerks and to fix their compensation;

(5) To make full investigation as to all questions directly or indirectly relating to or bearing upon the powers or duties vested in it by this Act, and to subpoena witnesses and to require their testimony and to compel the production of account books and files and all papers and documents relevant to any investigation or matter which may be under consideration by it.

§ 6. The members of the State Council of Defense shall serve without compensation, but the actual and necessary expenses of the members thereof, incurred in the discharge of duties under this Act, shall be a proper and legitimate charge against the appropriation hereinafter made.

§ 7. All officers, departments, institutions and agencies of the State Government, and all local and municipal officers, shall cooperate with and render such aid and assistance as the State Council of Defense may require.

§ 8. The Secretary of State shall provide the State Council of Defense with suitably furnished rooms in the capitol. The Superintendent of Printing or the Department of Public Works and Buildings, after July 1, 1917, shall furnish it with all necessary printing, binding, stationery and office supplies.

§ 9. In case of the refusal of any person to comply with any subpoena issued hereunder or to testify to any matter regarding which he may be interrogated or to produce account books, files, papers and documents relative to any investigation being conducted by the State Council of Defense, any Circuit Court of this State, or any judge thereof, either in term time or in vacation, upon the application of the State Council of Defense, or any member thereof, shall issue an order requiring such person to comply with such subpoena, or to testify, or to produce account books, files, papers and documents, or either, and any failure to obey such order of the court, or judge thereof, may be punished by the court as a contempt of court.

§ 10. The sum of fifty thousand dollars is hereby appropriated for the purpose of carrying out the provisions of this Act. The Auditor of Public Accounts shall draw his warrant for the sum hereby appropriated upon the presentation of vouchers certified to by the chairman of the State Council of Defense and approved by the Governor.

§ 11. WHEREAS, an emergency exists, therefore this Act shall take effect from and after its passage.

APPROVED May 2, 1917.

STATE ENTOMOLOGIST—DEFICIENCY.

§ 1. Appropriates \$300.00.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL No. 1009. APPROVED JUNE 27, 1917.)

AN ACT *making an appropriation to meet a deficiency in the appropriation to the State Entomologist.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred dollars (\$300.00), or so much thereof as may be necessary, be and the same is hereby appropriated to the State Entomologist for printing and distribution of circulars, posters, advertisements and other printed matter, relative to the suppression of a chinch bug outbreak, the said moneys herein appropriated to be available for expenses incurred up to and including the 30th day of June A. D. 1917.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sum herein appropriated upon the presentation of itemized vouchers certified to as correct by the State Entomologist and approved by the Governor.

§ 3. WHEREAS, an emergency exists, therefore, this Act shall be in force from and after its passage and approval.

APPROVED June 27, 1917.

STATE GOVERNMENT—ORDINARY AND CONTINGENT.

1. GOVERNOR — Contingent fund, \$50,000 for biennium.
- § 1. Appropriates for ordinary and contingent expenses as follows:
 2. Deficiency on account of court costs—vetoed.
 3. Office of Governor, \$39,600 for biennium.
 4. Executive mansion and grounds, \$52,400 for biennium.
 5. LIEUTENANT-GOVERNOR — For private secretary and incidentals, \$13,600 for biennium.
 6. SECRETARY OF STATE—For general expenses, \$820,215 for biennium.
 7. Capitol building and grounds, \$67,350 for biennium.
 - 7½. Installation of private branch telephone exchange, \$8,820 for biennium.
 8. Surety bonds for officers under civil administrative code, \$15,000 for biennium.
 - 8½. Reprinting laws—vetoed.
 9. Refund of corporation fees, \$10,000 for biennium.
 10. Clearing records of defunct corporations, \$10,000 for biennium.
 11. State Library, \$30,450 for biennium.
 12. Library Extension Commission, \$21,525 for biennium.
 13. AUDITOR OF PUBLIC ACCOUNTS — For general expenses, \$393,865 for biennium.
 14. Conveying convicts to penitentiary, \$40,000 for biennium.
 15. Conveying female offenders to State Training School for Girls, \$16,000 biennium.
 16. Conveying delinquent boys to St. Charles School for Boys, \$30,000 for biennium.
 17. Conveying offenders to Illinois State Reformatory, \$20,000 for biennium.
 18. Expenses in connection with fugitives from justice, \$60,000 for biennium.
 19. Rewards for fugitives from justice, \$10,000 for biennium.
 20. Expenses of State suits—vetoed.
 21. Transfers to Illinois Asylum for Insane Criminals, \$2,000 for biennium.
 22. Interest on school fund, \$114,000 for biennium.
 23. Distributable school fund, \$8,000,000 for biennium.
 - 23½. State institutions teachers' pension fund, \$8,000 for biennium.
 24. Refund of taxes, common school fund, \$500 for biennium.
 25. Refund of taxes, University fund, \$500 for biennium.
 26. Refund of taxes, revenue fund, \$1,500 for biennium.
 27. STATE BOARD OF EQUALIZATION—\$21,500 for biennium.
 28. STATE TREASURER — \$257,060 for biennium.
 29. SUPERINTENDENT OF PUBLIC INSTRUCTION — For general expenses, \$73,960 for biennium.
 30. Examinations for entrance to medical and dental colleges, \$15,000 for biennium.
 31. State Examining Board, \$21,200 for biennium.
 32. State Teachers' Association, \$5,000 for biennium.
 33. ATTORNEY GENERAL — Springfield office, \$152,200 for biennium.
 34. Inheritance Tax office, \$94,300 for biennium.
 35. Legal services and expenses, \$344,000 for biennium.
 36. Inheritance Tax Attorneys outside of Cook County, \$70,000 for biennium.
 37. SUPREME COURT — \$65,400 for biennium.

STATE GOVERNMENT—ORDINARY AND CONTINGENT—Continued.

38. Supreme Court Reporter, \$3,840 for biennium.
39. Clerk of Supreme Court, \$23,500 for biennium.
40. APPELLATE COURT—First District, \$61,042 for biennium.
41. APPELLATE COURT—Second District, \$23,100 for biennium.
42. APPELLATE COURT—Third District, \$7,700 for biennium.
43. APPELLATE COURT—Fourth District, \$11,300 for biennium.
44. GENERAL ASSEMBLY—Fifty-first, committees, \$5,000.
45. General Assembly—Fifty-first, incidental expenses, \$5,000.
46. DEPARTMENT OF FINANCE—\$110,020 for biennium.
47. DEPARTMENT OF AGRICULTURE—General office, \$62,290 for biennium.
48. Game and Fish Division, \$383,600 for biennium.
49. Division of Animal Industry, \$146,760 for biennium.
50. Stallion Registration Division, \$20,890 for biennium.
51. Apiary Inspection, \$3,850 for biennium.
52. Division of Plant Industry, \$22,650 for biennium.
53. Food and Dairy Division, \$201,890 for biennium.
54. Dairy Extension Work, \$40,000 for biennium.
55. Foot and Mouth Disease, \$50,000 for biennium.
- 55½. Commission Merchants—vetoed.
56. DEPARTMENT OF LABOR—Director's office, \$41,200 for biennium.
57. Chicago Free Employment offices, \$105,260 for biennium.
58. East St. Louis Free Employment office, \$13,516 for biennium.
59. Peoria Free Employment office, \$13,356 for biennium.
60. Rockford Free Employment office, \$12,490 for biennium.
61. Rock Island Free Employment office, \$13,270 for biennium.
62. Springfield Free Employment office, \$12,890 for biennium.
63. General Advisory Board Free Employment office, \$10,600 for biennium.
64. Chief Inspector of Private Employment Agencies, \$33,842 for biennium.
65. Factory Inspection Division, \$198,116.66 for biennium.
66. Industrial Commission, \$292,750 for biennium.
67. DEPARTMENT OF MINES AND MINERALS—\$177,813 for biennium.
68. DEPARTMENT OF PUBLIC WORKS AND BUILDINGS—Executive office, \$84,120 for biennium.
69. Division of Purchases and Supplies, \$61,385 for biennium.
70. Division of Architecture, Construction and Inspection, \$69,300 for biennium.
71. Highway Division, \$337,960 for biennium.
72. Division of Waterways, \$178,470.25 for biennium.
73. Lincoln Monument, \$10,200 for biennium.
74. Lincoln Homestead, \$7,000 for biennium.
75. Fort Massac Park, \$2,988 for biennium.
76. Starved Rock Park, \$18,700 for biennium.
77. Shabbona Park—vetoed.
78. Fort Chartres Park, \$12,250 for biennium.
- 78½. Garrison Hill Cemetery—vetoed.
79. Division of Parks, \$6,600 for biennium.
80. Division for Printing, \$38,345 for biennium.
81. Printing for Fifty-first General Assembly, \$125,000 for biennium.
82. Printing for offices, departments, etc., \$698,960 for biennium.
83. DEPARTMENT OF PUBLIC WELFARE—General office \$114,450 for biennium.
84. Criminologist's Division, \$10,696 for biennium.
85. Visitation of Adult Blind, \$17,545 for biennium.

STATE GOVERNMENT—ORDINARY AND CONTINGENT—Concluded.

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| 86. Visitation of Children,
\$28,920 for biennium. | 103. ADJUTANT GENERAL—\$54,-
774.34 for biennium. |
| 87. Division of Pardons and
Paroles, \$26,400 for bi-
ennium. | 103½. Vicksburg Reunion, \$40,-
000 for biennium. |
| 88. Board of Welfare Com-
missioners, \$23,000 for
biennium. | 104. CIVIL SERVICE COMMISSION
—\$65,740 for biennium. |
| 89. DEPARTMENT OF PUBLIC
HEALTH—Departmental
expenses and lodging
house inspection, \$423,-
212.01 for biennium. | 105. ILLINOIS STATE HISTORICAL
SOCIETY—\$43,837.06 for
biennium. |
| 90. DEPARTMENT OF TRADE
AND COMMERCE—Execu-
tive Division, \$64,465 for
biennium. | 106. LEGISLATIVE REFERENCE
BUREAU—\$69,600 for bi-
ennium. |
| 91. Insurance Division, \$163,-
600 for biennium. | 107. PENITENTIARY BUILDING
COMMISSION — \$300,000
for biennium. |
| 92. Chicago District, Grain
Inspection Division,
\$375,910 for biennium. | 108. UNIFORM LAWS COMMIS-
SION—\$2,300 for biennium. |
| 93. East St. Louis District,
Grain Inspection Division,
\$42,500 for biennium.
Deputy Grain Inspector,
Joliet District, \$3,000
for biennium.
Deputy Grain Inspector,
Kankakee District,
\$3,000 for biennium. | 108½. NEGRO CELEBRATION COM-
MISSION—\$2,100 for bi-
ennium. |
| 94. Fire Marshal Division,
\$147,307.01 for biennium. | 109. EDUCATION OF DEAF,
BLIND AND DELINQUENT
CHILDREN — \$270,598.26
for biennium. |
| 95. Public Utilities Commis-
sion, \$585,100 for biennium. | 110. RECEIVERS OF CENTRAL
UNION TELEPHONE COM-
PANY—\$111.85. |
| 96. DEPARTMENT OF REGISTRA-
TION AND EDUCATION —
Office of department,
\$26,600 for biennium. | 111. SAMUELS AND SAMUELS—
Refund of corporation
fee, \$270. |
| 97. Division of Registration,
\$175,805 for biennium. | 112. FISHER AND NORTY — Re-
fund of corporation fee,
\$60. |
| 98. State Museum, \$22,450 for
biennium. | 113. HILL AND HILL — Refund
of corporation fee, \$70. |
| 99. Natural History Survey,
\$16,500 for biennium. | 114. O. H. HYATT—Refund of
corporation fee, \$50. |
| 100. Geological Survey Divi-
sion, \$88,044 for biennium. | 115. A. T. WILLETT & COM-
PANY—Services rendered
Illinois National Guard,
\$499. |
| 101. Water Survey Division,
\$70,968 for biennium. | § 2. Definitions of terms. |
| 102. Entomological Survey Divi-
sion, \$43,210 for biennium. | § 3. Warrants and vouchers. |
| | § 4. Pay roll vouchers. |
| | § 4½. Traveling expense vouchers. |
| | § 5. Central Telephone Exchange. |
| | § 6. Vouchers in cases where procedure
not otherwise specified. |
| | § 7. Veto of items. |

(HOUSE BILL No. 1030. APPROVED JUNE 29, 1917.)

AN ACT to provide for the ordinary and contingent expenses of the State Government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly:

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the following named sums,

or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be, and are hereby, appropriated to meet the ordinary and contingent expenses of the State Government, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

GOVERNOR.

First—To the Governor, a sum not to exceed \$25,000 per annum, which shall be subject to the order of the Governor for the purpose of defraying such public expenses of the State Government as are unforeseen by the General Assembly, and not otherwise provided for by law.

Second—To the Governor, the sum of \$267.76 [vetoed] for deficiency incurred on account of the court costs, fees and other expenses in the case of the *People of the State of Illinois ex rel Edward F. Dunne, Governor, and Patrick J. Lucey, Attorney General, versus The Economy Light and Power Company.*

Third—To the Governor, for expenses connected with his office: For salaries and wages: For secretary to the Governor, \$5,000 per annum; for stenographer and assistant secretary, \$2,400 per annum; for clerk, \$1,200 per annum; for clerk, \$1,800 per annum; for clerk, \$1,500 per annum; for messenger, \$1,200 per annum; for extra help, \$600 per annum; for departmental office expenses, \$3,850 per annum; for traveling expenses, \$1,750 per annum; for equipment, \$500 per annum. [39,600]

Fourth—To the Governor, for the Executive Mansion and grounds: For salaries and wages, \$4,800 per annum; for departmental office expenses, \$600 per annum; for operating supplies and expenses for the year beginning July 1, 1917, \$7,800; for the year beginning July 1, 1918, \$8,800; for repairs to present buildings, grounds and equipment, \$25,000. [52,400]

(Total for Governor and for Executive Mansion, \$142,267.76.)

LIEUTENANT GOVERNOR.

Fifth—To the Lieutenant Governor, for private secretary and other employees, postage, expressage, telephoning, telegraphing, traveling expenses and other expenses connected with his office, \$6,800 per annum.

SECRETARY OF STATE.

Sixth—To the Secretary of State: For salaries and wages: For chief clerk, \$6,000 per annum; for assistant chief clerk, \$2,400 per annum; for clerk, \$1,200 per annum; for bookkeeper, \$2,000 per annum; for private secretary, \$2,400 per annum; for stenographer, \$1,200 per annum: For Foreign Corporation Department: For clerk, \$3,000 per annum; for stenographer, \$1,200 per annum: For Domestic Corporation Department: For clerk, \$3,000 per annum; for 3 clerks at \$1,800 each per annum, \$5,400 per annum; for clerk, \$900 per annum; for 4 stenographers at \$1,200 each per annum \$4,800 per annum: For Executive Department: For clerk, \$2,400 per annum; for clerk, \$1,200 per annum; for stenographer, 1,200 per annum: For Index Department: For clerk, \$2,400 per annum; for 2 clerks at \$1,800 each per annum,

\$3,600 per annum; for 2 clerks at \$1,200 each per annum, \$2,400 per annum; for clerk, \$1,000 per annum; for stenographer, \$1,200 per annum: For Anti-Trust Department: For clerk, \$2,400 per annum; for clerk, \$1,800 per annum; for 3 clerks at \$1,200 each per annum, \$3,600 per annum; for 3 clerks at \$900 each per annum, \$2,700 per annum; for stenographer, \$1,200 per annum: For Shipping Department: For clerk, \$2,400 per annum; for clerk, \$1,800 per annum; for clerk, \$1,500 per annum; for clerk, \$1,320 per annum; for 5 clerks at \$900 each per annum, \$4,500 per annum; for stenographer, \$900 per annum: For Supply Department: For clerk, \$2,100 per annum; for clerk, \$1,800 per annum; for 2 clerks at \$900 each per annum, \$1,800 per annum: For Automobile Department: For clerk, \$2,400 per annum; for clerk, \$2,100 per annum; for clerk, \$1,800 per annum; for 4 clerks at \$1,500 each per annum, \$6,000 per annum; for 3 clerks at \$1,320 each per annum, \$3,960 per annum; for 4 clerks at \$1,200 each per annum, \$4,800 per annum; for 4 clerks at \$1,000 each per annum, \$4,000 per annum; for 2 clerks at \$1,500 each per annum, \$3,000 per annum; for clerk, \$1,500 per annum; for clerk, \$1,500 per annum; for clerk, \$900 per annum; for 4 stenographers at \$1,200 each per annum, \$4,800 per annum; for 5 stenographers at \$900 each per annum, \$4,500 per annum; for stenographer, \$900 per annum; for stenographer, \$900 per annum: For Chicago Office: For clerk, \$2,400 per annum; for 2 clerks at \$2,100 each per annum, \$4,200 per annum; for clerk, \$1,500 per annum; for clerk, \$1,200 per annum; for stenographer, \$1,200 per annum; for stenographer, \$900 per annum: For extra help: For first year of the biennium, \$10,000; for second year of the biennium, \$10,000; For editing Blue Book: For first year of the biennium only, \$2,000: For Capitol Building: For superintendent Capitol Building, \$2,500 per annum; for assistant superintendent Capitol Building, \$1,800 per annum; for 27 janitors at \$900 each per annum, \$24,300 per annum; for 2 window cleaners at \$900 each per annum, \$1,800 per annum; for janitress, \$800 per annum; for extra janitors during sessions General Assembly, \$4,400 for the biennium; for 10 elevator operators at \$900 each per annum, \$9,000 per annum; for 6 policemen at \$900 each per annum, \$5,400 per annum; for carpenter, \$1,200 per annum; for carpenter, \$1,100 per annum; for chief engineer, \$2,400 per annum; for 5 stationary engineers at \$1,320 each per annum, \$6,600 per annum; for 9 firemen at \$1,000 each per annum, \$9,000 per annum; for coal weigher, \$1,200 per annum; for chief electrician, \$1,600 per annum; for assistant electrician, \$1,320 per annum; for extra help, State House and power plant, \$700 per annum; for departmental office expenses, \$48,350 per annum; for traveling expenses, \$5,400 per annum; for operating supplies and expenses, \$113,550 per annum; for equipment, \$16,625 for the first year, and \$9,400 for the second year of the biennium; for repairs, \$6,500 for the first year, and \$5,300 for the second year of the biennium: For Buildings and Improvements: For fire-proof vault, \$2,500 for the biennium; for auxiliary steam main, \$690 for the biennium; for contingencies, \$5,200 per annum.

(Total for the Secretary of State, \$820,215.)

Seventh—To the Secretary of State, as chairman of a commission for the direction of repairs and improvements to the Capitol Building and grounds, consisting of the President of the Senate, the Speaker of the House of the Fiftieth General Assembly and the Secretary of State, the sum of \$120,550 in items as nearly as possible as follows: For floor repairs, \$3,000; for revolving door, \$800; for painting and varnishing, \$12,000; for electric light fixtures, including installation, for corridors and elevator entrances, \$700; for roof repairs, \$50,000 [vetoed]; for ornamental lamp posts and accessories for grounds, \$7,300; for cement walks on account of Lincoln Statue, \$3,000; for equipment, plumbing and repairs in the cloak rooms and lavatories in the Senate and House of Representatives, \$15,000; for repairing, decorating, furnishing and refitting of the Senate Chamber, the Hall of the House of Representatives and committee rooms for the General Assembly, \$20,000; for the expenses of removal of the diagnostic laboratory of the Department of Public Health from the second floor of the Capitol Building to the sixth floor, north wing, including installation of necessary plumbing, fixtures and equipment, and other expenses incidental to such removal, \$2,300; for the expenses of the removal of the Illinois Farmers' Institute to new quarters in the Capitol Building and for repairs and equipment of such new quarters, the sum of \$2,000; for two toilet rooms, fifth and sixth floors, south wing, \$2,600.00 for the biennium [vetoed]; for electric light fixtures, fifth and sixth floors, south wing, \$350.00 for the biennium; painting of walls, finishing floors and picture molding, awning and curtains fifth and sixth floors, south wing, \$1,500.00 for the biennium [vetoed]. The work contemplated by this appropriation shall be done under the direction and at the discretion of the commission named, and bills and vouchers for payments for materials and services thereunder shall be signed by not less than two members of the said commission. There is further appropriated to the said commission, the sum of \$900 for payments in completing the work of the commission appointed under an Act entitled, "An Act for an appropriation for the repair and re-arrangement of the interior of the Capitol Building," approved June 28, 1915. The said sum of \$900 shall be disbursed only upon the presentation of itemized vouchers signed by not less than two members of the commission authorized in this paragraph.

(Total for the Commission for Repairs and Improvements to Capitol Building and Grounds, \$121,450.)

Seven one-half—To the Secretary of State the sum of \$8,820 for the purpose of installing, maintaining and operating a private branch exchange for telephone service in the city of Springfield.

Eighth—To the Secretary of State, the sum of \$15,000 for the biennium, for surety bonds for all officers required to give bonds under the provisions of the Civil Administrative Code.

Eight and one-half—To the Secretary of State for the printing of the laws of the State of Illinois under "An Act to publish, distribute and sell the laws of the territory of Illinois and all the laws and joint resolutions passed prior to January 1, 1917, at all regular and special

sessions of the General Assemblies of the State of Illinois, and provide for their admission in evidence and to repeal an Act therein named," the sum of \$60,000 [vetoed].

Ninth—To the Secretary of State, the sum of \$5,000 per annum for refund of corporation fees where the organization of a corporation or corporations is not completed under license issued.

Tenth—To the Secretary of State, the sum of \$10,000 for the biennium, for clearing the records of defunct corporations under section 7 of an Act entitled, "An Act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of the articles of incorporation for failure to do so, and to repeal a certain Act therein named," in force July 1, 1901.

Eleventh—To the Secretary of State for the Illinois State Library: For salaries and wages: For assistant librarian, \$1,800 per annum; for stenographer, \$1,200 per annum; for second assistant librarian, \$1,200 per annum; for third assistant librarian, \$1,100 per annum; for fourth assistant librarian, \$1,000 per annum; for fifth assistant librarian, \$900 per annum; for sixth assistant librarian, \$900 per annum; for departmental office expenses, \$1,150 per annum; for traveling expense, \$250 per annum; for repairs, \$200 for the biennium; for equipment, \$7,550 for the first year, and \$3,500 for the second year of the biennium; for reserve and contingencies, \$100 per annum.

(Total for the Illinois State Library, \$30,450.)

Twelfth—To the Secretary of State for the Illinois Library Extension Commission: For salaries and wages: For secretary, \$1,500 per annum; for assistant librarian, \$1,200 per annum; for stenographer, \$900 per annum; for extra help, \$250 per annum; for departmental office expenses, \$1,050 per annum; for traveling expense, \$600 per annum; for repairs, \$250 for the biennium; for equipment, \$5,800 for the first year, and \$4,475 for the second year of the biennium.

(Total for the Illinois Library Extension Commission, \$21,525.00.)

AUDITOR OF PUBLIC ACCOUNTS.

Thirteenth—To the Auditor of Public Accounts: For salaries and wages: For chief clerk, \$6,000 per annum; for one private secretary and clerk, \$2,500 per annum; for chief warrant clerk, \$3,000 per annum; for assistant chief warrant clerk, \$2,000 per annum; for 7 assistant warrant clerks at \$1,800 each per annum, \$12,600 per annum; for one bookkeeper and clerk, \$2,000 per annum; for one assistant bookkeeper and clerk, \$1,500 per annum; for revenue clerk, \$2,000 per annum; for assistant revenue clerk, \$1,500 per annum; for land clerk, \$1,800 per annum; for journal clerk, \$1,800 per annum; for one file and index clerk, \$1,500 per annum; for stenographer, \$1,260 per annum; for one stenographer and clerk, \$1,500 per annum; for one messenger and clerk, \$900 per annum; for extra clerk hire, \$10,000 per annum: For Building and Loan Department: For chief clerk, \$4,000 per annum; for clerk, \$2,500 per annum; for clerk, \$2,400 per annum; for 2 examiners at \$3,000 each per annum, \$6,000 per annum; for examiner, \$2,700 per annum; for examiner, \$2,700 per annum; for

examiner, \$1,800 per annum: For Banking Department: For chief clerk, \$6,000 per annum; for 2 clerks at \$1,800 each per annum, \$3,600 per annum; for 1 clerk, \$1,500 per annum; for stenographer for Chicago office, \$1,260 per annum; for one stenographer and clerk for Chicago office, \$1,200 per annum; for one clerk and messenger, \$1,200 per annum; for extra clerk hire and examiners, \$5,000 per annum [vetoed]; for stenographer, \$1,200 per annum; for one stenographer and clerk, \$1,500 per annum; for chief bank examiner, \$5,000 per annum; for 2 bank examiners for Chicago at \$5,000 each per annum, \$10,000 per annum; for 2 bank examiners for Chicago at \$3,600 each per annum, \$7,200 per annum; for 2 bank examiners for Chicago at \$2,500 each per annum, \$5,000 per annum; for 5 bank examiners for country at \$4,000 each per annum, \$20,000 per annum; for security clerk, \$3,500 per annum; for examination of books and accounts for State departments, \$20,000 per annum; for compiling inventory of State property, \$2,500 per annum; for expense collecting principal and interest on registered bonds, \$2,000 per annum; for department office expenses, \$11,875 for the first year, and \$11,475 for the second year of the biennium; for traveling expense, \$16,500 per annum; for repairs, \$1,000 for the biennium [vetoed]; for equipment, \$2,275 for the biennium; for reserve and contingencies, \$1,000 per annum.

(Total for the office of the Auditor of Public Accounts, \$404,865.)

Fourteenth—To the Auditor of Public Accounts: For conveying convicts to the penitentiary, and to and from the penitentiary in cases of new trials, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law: *Provided*, that when more than one person is convicted at the same term of court and is committed to the penitentiary, the sheriff shall receive fees at the rate of twenty-five cents for each and every mile necessarily traveled in going to the penitentiary from the place of conviction for the first convict so conveyed; fifteen cents per mile for the second convict so conveyed; ten cents per mile for each of the residue, and the Auditor of Public Accounts shall refuse payment to any sheriff who shall fail to comply with this provision, the sum of \$20,000 per annum.

Fifteenth—To the Auditor of Public Accounts: For conveying female offenders to the State Training School for Girls, and to and from the State Training School for girls in cases of new trials or when used as witnesses in cases, such payments in each case to be ascertained and paid in the same manner as required by law for the conveying of prisoners to the penitentiary, the sum of \$8,000 per annum.

Sixteenth—To the Auditor of Public Accounts: For conveying delinquent boys to the St. Charles School for Boys, and to and from the St. Charles School for Boys in cases of new trials or when used as witnesses in cases, such payments in each case to be ascertained and paid in the same manner as required by law for the conveying of prisoners to the penitentiary, the sum of \$15,000 per annum.

Seventeenth—To the Auditor of Public Accounts: For conveying offenders to the Illinois State Reformatory at Pontiac, and from and to the reformatory in cases of new trials, or when used as witnesses in cases, such payments in each case to be ascertained and paid in the same

manner as required by law for the conveying of prisoners to the penitentiary, the sum of \$10,000 per annum.

Eighteenth—To the Auditor of Public Accounts: For the payment of the expenses provided by law for the apprehension and delivery of fugitives from justice, to be paid on the evidence required by law, certified to and approved by the Governor, the sum of \$30,000 per annum.

Nineteenth—To the Auditor of Public Accounts: For the payment of rewards for arrests of fugitives from justice, to be paid on bills of particulars having the approval of the Governor endorsed thereon, the sum of \$5,000 per annum.

Twentieth—To the Auditor of Public Accounts: For the costs and expenses of State suits, the sum of \$500 per annum [vetoed].

Twenty-first—To the Auditor of Public Accounts: For the payment of the expenses of the transfer of any insane person or persons to the Illinois Asylum for Insane Criminals, either from any other of the State institutions or upon the order or mittimus of any of the several State courts, the sum of \$1,000 per annum.

Twenty-second—To the Auditor of Public Accounts: For the payment of the interest on the School Fund, distributed annually in pursuance of law; said amount to be payable from the State Revenue Fund, the sum of \$57,000 per annum.

Twenty-third—To the Auditor of Public Accounts: For the payment of the amount of the Auditor's orders for the distribution of the State School Fund to the several counties, and for the payment of the salaries and expenses of county superintendents of schools as now provided by law, and for the amount to be paid into the Illinois State Teachers' Pension and Retirement Fund in accordance with the provisions of an Act entitled, "An Act in relation to an Illinois Teachers' Pension and Retirement Fund," approved May 27, 1915, in force July 1, 1915, the sum of \$4,000,000 per annum.

Twenty-three and a half—To the Auditor of Public Accounts, for use of the State Institutions Teachers' Pension and Retirement Fund, the sum of \$8,000 for the biennium ending June 30, 1919.

Twenty-fourth—To the Auditor of Public Accounts: For the refund of taxes paid in excess, out of the Common School Fund, the sum of \$250 per annum.

Twenty-fifth—To the Auditor of Public Accounts: For the refund of taxes paid in excess out of the University of Illinois Fund, the sum of \$250 per annum.

Twenty-sixth—To the Auditor of Public Accounts: For the refund of taxes paid in excess, out of the Revenue Fund, the sum of \$750 per annum.

STATE BOARD OF EQUALIZATION.

Twenty-seventh—To the State Board of Equalization: For salaries and wages: For clerk hire, \$8,500 per annum; for reporting proceedings, \$1,000 per annum; for departmental office expenses, \$1,100 per annum; for equipment, \$150 per annum.

(Total for the State Board of Equalization, \$21,500.00.)

STATE TREASURER.

Twenty-eighth—To the State Treasurer: For salaries and wages: For one assistant treasurer and clerk, \$6,000 per annum; for chief clerk, \$4,000 per annum; for fiscal clerk, \$2,500 per annum; for one cashier and clerk, \$3,000 per annum; for appropriation clerk, \$2,500 per annum; for assistant appropriation clerk, \$1,500 per annum; for record clerk, \$1,800 per annum; for one bookkeeper and clerk, \$1,800 per annum; for 4 warrant clerks at \$1,500 each per annum, \$6,000 per annum; for one messenger and clerk, \$1,200 per annum; for one stenographer and clerk, \$1,500 per annum; for one stenographer and clerk, \$1,200 per annum; for extra clerk hire, \$2,500 per annum; for 3 watchmen at \$1,200 each per annum, \$3,600 per annum; for 6 watchmen at \$900 each per annum, \$5,400 per annum; for fees and expenses in examining and investigating titles and other contracts on loans made for Teachers' Pension and Retirement Fund, \$2,500 per annum; for fees, clerk hire and other expenses in handling collateral, \$12,500 per annum; for expert service, investigators, clerks and expenses in investigating and collecting inheritance tax, \$50,000 per annum; for departmental expenses, \$8,250 per annum; for traveling expense, \$500 per annum; for premiums on insurance, including employees' bonds, insurance on money and collateral, \$4,000 per annum; for repairs, \$30 per annum; for equipment, \$6,500 for the first year, and \$1,500 for the second year of the biennium; for refund of taxes, \$750 per annum; for repairing, rearranging room, vault and cages for the State Treasurer's office, \$3,000.

(Total for the State Treasurer, \$257,060.)

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Twenty-ninth—To the Superintendent of Public Instruction: For salaries and wages: For high school supervisor, \$4,800 per annum; for 3 assistant superintendents of public instruction, \$3,200 each per annum, \$9,600 per annum; for chief clerk, \$2,400 per annum; for 2 statistical clerks at \$2,000 each per annum, \$4,000 per annum; for 2 stenographers at \$1,260 each per annum, \$2,520 per annum; for 2 stenographers at \$1,100 each per annum, \$2,200 per annum; for messenger, \$1,100 per annum; for 1 messenger, \$900 per annum; for extra help, \$460 per annum; for departmental office expenses, \$3,800 per annum; for traveling expense, \$3,700 per annum; for repairs, \$1,000 for the biennium; for equipment, \$500 per annum; for reserve and contingencies, \$500 per annum.

(Total for the Superintendent of Public Instruction, \$73,960.)

Thirtieth—To the Superintendent of Public Instruction: For fees for the Committee on Examination, for conducting examinations for entrance to medical and dental colleges, \$7,500 per annum.

Thirty-first—To the Superintendent of Public Instruction for the expenses of the State Examining Board: For salaries and wages: For secretary, \$3,200 per annum; for stenographer, \$1,100 per annum; for expenses of conducting county examinations, \$5,000 per annum; for

traveling expense, \$800 per annum; for contingent expenses, \$500 per annum.

(Total for the expenses of the State Examining Board, \$21,200.00.)

Thirty-second—To the Superintendent of Public Instruction for the use of the Illinois State Teachers' Association under the provisions of section 272 of "An Act to establish and maintain a system of free schools." For printing and binding 16,000 copies of the annual proceedings of the State Teachers' Association, \$2,500 per annum.

(Total for the use of the Illinois State Teachers' Association, \$5,000.00.)

ATTORNEY GENERAL.

Thirty-third—To the Attorney General for the office at Springfield: For salaries and wages: For first Assistant Attorney General, \$7,500 per annum; for 2 Assistant Attorney Generals at \$5,000 each per annum, \$10,000 per annum; for 2 Assistant Attorney Generals at \$4,500 each per annum, \$9,000 per annum; for Assistant Attorney General, \$4,000 per annum; for 2 Assistant Attorney Generals at \$3,500 each per annum, \$7,000 per annum; for brief maker, \$3,000 per annum; for inheritance tax assistant, \$2,400 per annum; for law clerk, \$2,000 per annum; for clerk, \$1,500 per annum; for docket assistant, \$1,500 per annum; for private secretary, \$2,000 per annum; for 6 stenographers at \$1,200 each per annum, \$7,200 per annum; for one messenger and clerk, \$1,300 per annum; for janitor, \$900 per annum; for janitress, \$300 per annum; for departmental office expenses, \$7,000 per annum; for traveling expense, \$6,000 per annum; for equipment, \$3,500 per annum.

(Total for the Springfield office of the Attorney General, \$152,200.)

Thirty-fourth—To the Attorney General for inheritance tax office in counties of the third class: For salaries and wages: For 3 Assistant Attorney Generals at \$1,800 each per annum, \$5,400 per annum; for clerk, \$1,800 per annum; for 2 assistant clerks at \$1,200 each per annum, \$2,400 per annum; for court reporting, \$3,000 per annum; for 4 stenographers at \$1,200 each per annum, \$4,800 per annum; for telephone operator, \$900 per annum; for special investigations and collection of the inheritance tax in Cook County, \$15,000 per annum; for departmental office expenses, \$11,850 per annum; for equipment, \$2,000 per annum.

(Total for inheritance tax office of the Attorney General in counties of the third class, \$94,300.)

Thirty-fifth—To the Attorney General for legal services and expenses, \$197,000 per annum, as follows: For attorneys for the Departments of Finance, Agriculture, Labor, Mines and Minerals, Public Works and Buildings, Public Welfare, Public Health, Trade and Commerce, Registration and Education, and for the Public Utilities Commission, \$60,000 per annum; for the employment of special assistants, special attorneys, investigators, brief writers and extra help, for court costs in United States courts and State courts, expenses of conducting investigations, preparation and trial of suits and appeals in the United States courts and courts in this and other states, \$60,000 per annum;

for expenses in the collection of evidence and the employment of necessary assistants in the prosecution of litigation relative to submerged and made lands in connection with the navigable waters of the State of Illinois, and incidental legal expenses in connection with the construction of the deep waterway, \$25,000 per annum [vetoed]; for the purpose of employing special counsel, traffic experts, accountants, stenographers, clerks and other necessary assistants in the litigation between the State of Illinois or the People of the State of Illinois and the Illinois Central Railroad Company in the courts of this State or in the courts of the United States, including court costs and the pro rata share of commissioners' fees now due or that may hereafter accrue, and for the purpose of defraying the costs and expenses of an accounting in such litigation, and for the hearing and completion of such litigation, \$50,000 per annum; for costs and expenses in disbarment proceedings, \$2,000 per annum.

Thirty-sixth—To the Attorney General, for employment of inheritance tax attorneys outside of Cook County, \$35,000 per annum.

SUPREME COURT.

Thirty-seventh—To the Supreme Court: For stationery, repairs, maintenance of building and grounds, printing, furnishing, expressage, telephoning and telegraphing, \$10,000 per annum; for laying new steps to sidewalk, \$500 for the biennium; for buying books for library, binding books, purchase of continuation and renewals of reports, encyclopedias, reporters, law magazines and text books, \$5,000 per annum; for new book cases, \$500 for the biennium; for stenographic work, \$1,200 per annum; for salary of custodian, \$1,000 per annum; for salary of head janitor, \$1,100 per annum; for salaries of 3 janitors at \$900 each per annum; \$2,700 per annum; for salary of messenger, \$1,000 per annum; for salary of matron, \$900 per annum; for salaries of 2 elevator conductors at \$900 each per annum, \$1,800 per annum; for salaries of 2 watchmen at \$900 each per annum, \$1,800 per annum; for salary of one engineer and electrician, \$1,500 per annum; for salary of librarian, \$3,000 per annum; for salary of assistant librarian, \$1,200 per annum.

(Total for the Supreme Court, \$65,400.)

Thirty-eighth—To the Supreme Court Reporter: For the expense of printing in advance the opinions of the Supreme Court, and of distributing printed proof thereof to the several members of the Court and also to the Attorney General, in such cases as the State may be interested, together with the expenses of transmitting such proofs and the original opinions by mail and express, and to make printers' corrections in said proofs after final adoption, the sum of \$1,200 per annum, payable upon bills of particulars certified to by at least two judges of said court; for salary of one custodian and messenger, \$720 per annum.

(Total for the Supreme Court Reporter, \$3,840.00.)

Thirty-ninth—To the clerk of the Supreme Court: For salary of one chief clerk and caishier, \$3,600 per annum; for salary of one stenographer and court reporter, \$1,500 per annum; for salary of one docket clerk and bookkeeper, \$1,500 per annum; for salary of one janitor and

messenger for the court, \$1,500 per annum; for stationery, supplies, postage, telegraph and other expenses, \$3,650 per annum.

(Total for the clerk of the Supreme Court, \$23,500.00.)

APPELLATE COURTS.

Fortieth—To the Appellate Court of the First District: For salaries and wages: For 3 stenographers at \$1,500 each per annum, \$4,500 per annum; for librarian, \$800 per annum; for telephone operator, \$1,020 per annum; for departmental office expenses, \$20,851 per annum; for equipment, \$3,150 per annum; for reserve and contingencies, \$200 per annum.

(Total for the Appellate Court of the First District, \$61,042.00.)

Forty-first—To the Appellate Court of the Second District: For salaries and wages: For librarian, \$600 per annum; for stenographer, \$1,500 per annum; for janitor, \$900 per annum; for departmental office expenses, \$500 per annum; for rebinding books, \$4,000 for the biennium; for dust proof metal book cases, \$6,800 for the biennium; for operating supplies and expenses, \$650 per annum; for equipment, \$850 for the first year and \$750 for the second year of the biennium; for reserve and contingencies, \$1,200 per annum.

(Total for the Appellate Court of the Second District, \$23,100.00.)

Forty-second—To the Appellate Court of the Third District: For salaries and wages: For stenographer, \$1,500 per annum; for janitor, \$900 per annum; for departmental office expense, \$1,210 per annum; for equipment, \$50 per annum; for reserve and contingencies, \$190 per annum.

(Total for the Appellate Court of the Third District, \$7,700.00.)

Forty-third—To the Appellate Court of the Fourth District: For salaries and wages: For librarian, \$600 per annum; for stenographer, \$1,500 per annum; for janitor, \$900 per annum; for departmental office expenses, \$700 per annum; for operating supplies and expenses, \$500 per annum; for repairs, \$900 for the first year, and \$400 for the second year of the biennium; for equipment, \$600 per annum; for reserve and contingencies, \$200 per annum.

(Total for the Appellate Court of the Fourth District, \$11,300.00.)

GENERAL ASSEMBLY.

Forty-fourth—For the expenses of committees of the Fifty-first General Assembly, the sum of \$5,000 as follows: \$3,000 for the expenses of committees of the House of Representatives, and \$2,000 for the expenses of committees of the Senate.

Forty-fifth—For the incidental expenses of the Fifty-first General Assembly, the sum of \$5,000, as follows: \$3,000 for the incidental expenses of the House of Representatives, and \$2,000 for the incidental expenses of the Senate.

DEPARTMENT OF FINANCE.

Forty-sixth—To the Director of Finance for expenses and equipment of the Department of Finance: For salaries and wages: For

secretary to the director, \$2,400 per annum; for general bookkeeper, \$2,400 per annum; for 2 bookkeepers at \$1,500 each per annum, \$3,000 per annum; for 10 stenographers and clerks at \$1,200 each per annum, \$12,000 per annum; for one messenger at \$960 per annum; for departmental office expense, \$2,000 per annum; for traveling expense, \$6,000 per annum; for equipment, \$2,500 for the biennium; for reserve and contingencies, \$25,000 per annum.

(Total for the Department of Finance, \$110,020.00.)

DEPARTMENT OF AGRICULTURE.

Forty-seventh—To the Director of Agriculture for the general office of the Department of Agriculture: For salaries and wages: For secretary to the director, \$2,400 per annum; for one bookkeeper and stenographer, \$1,500 per annum; for one index and filing clerk, \$1,500 per annum; for stenographer, \$1,200 per annum; for messenger, \$900 per annum; for departmental office expenses, \$1,670 per annum; for traveling expense, \$9,500 per annum; for repairs, \$500 for the first year, and \$250 for the second year of the biennium; for equipment, \$3,200 for the first year, and \$1,000 for the second year of the biennium; for reserve and contingencies, \$10,000 per annum.

(Total for the general office of the Department of Agriculture, \$62,290.)

Forty-eighth—To the Director of Agriculture for the Game and Fish Division of the Department of Agriculture: For salaries and wages: For 5 inspectors at \$2,000 each per annum, \$10,000 per annum; for 5 investigators at \$1,800 each per annum, \$9,000 per annum; for 7 employees at \$1,500 each per annum, \$10,500 per annum; for 60 employees at \$1,200 each per annum, \$72,000 per annum; for department chief clerk, \$2,000 per annum; for department clerk, \$1,500 per annum [vetoed]; for department clerk, \$1,200 per annum; for 3 stenographers at \$1,200 each per annum, \$3,600 per annum; for stenographer, \$900 per annum; for messenger, \$1,000 per annum; for 2 boat engineers for eight months each year at \$1,000 each per annum, \$2,000 per annum [vetoed]; for 4 laborers for fish propagation for six months each year at \$450 each per annum, \$1,800 per annum [vetoed]; for superintendent of fish hatchery, \$1,200 per annum [vetoed]; for fish culturist, \$1,500 per annum [vetoed]; for extra help, \$5,000 per annum; for fish rescue work, \$10,000 per annum; for fish hatchery at Chicago, \$25,000 [vetoed]; for departmental office expenses, \$5,775 per annum; for traveling expenses, \$35,000 per annum; for operating supplies and expenses, \$9,925 per annum; for repairs, \$4,150 per annum; for equipment, \$4,750 per annum; for reserve and contingencies, \$7,000 per annum.

(Total for the Game and Fish Division of the Department of Agriculture, \$424,600.)

Forty-ninth—To the Director of Agriculture for the Animal Industry and Veterinary Division of the Department of Agriculture: For salaries and wages: For the general office of the division: For secretary to the chief veterinarian, \$1,500 per annum; for stenographer for the superintendent, \$1,200 per annum; for stenographer, \$1,200 per annum;

for one bookkeeper and clerk, \$1,500 per annum; for bacteriologist, \$3,000 per annum; for 2 helpers at \$900 each per annum, \$1,800 per annum; for the inspection department at the Union Stock Yards at Chicago: For chief sanitary officer, \$3,600 per annum; for one chief live stock inspector and veterinarian, including horse hire, \$2,400 per annum; for one live stock inspector and veterinarian, including horse hire, \$2,000 per annum; for 7 State agents, including horse hire, at \$1,740 each per annum, \$12,180 per annum; for clerk, \$1,800 per annum [vetoed]; for the inspection department at the National Stock Yards: For one chief live stock inspector and veterinarian, \$1,500 per annum; for one live stock inspector and veterinarian, \$1,200 per annum; for the inspection department at the Union Stock Yards at Peoria: For State agent, \$1,200 per annum; for per diem of assistant State veterinarians at \$8 per day of actual service, \$9,000 per annum; for departmental office expenses, \$4,800 per annum; for traveling expense, \$8,000 per annum; for operating supplies and expenses, \$16,800 per annum; for repairs, \$500 per annum.

(Total for the Animal Industry and Veterinary Division, \$150,360.)

Fiftieth—To the Director of Agriculture for the Stallion Registration Division of the Department of Agriculture: For salaries and wages: For department clerk, \$1,440 per annum; for department clerk, \$1,080 per annum; for stenographer, \$1,200 per annum; for inspector of stallions, \$1,800 per annum; for veterinary service and assistant inspectors of stallions, \$3,000 per annum [vetoed]; for one messenger, \$900 per annum; for extra clerk hire, \$625 per annum; for departmental office expenses, \$1,775 per annum; for traveling expense, \$1,500 per annum; for repairs, \$250 for the biennium.

(Total for the Stallion Registration Division, \$26,890.)

Fifty-first—To the Director of Agriculture for the Division of Apiary Inspection of the Department of Agriculture: For per diem of the State inspectors and deputies at \$4 per day, \$1,400 per annum; for departmental office expenses, \$25 per annum; for traveling expense, \$500 per annum.

(Total for the Division of Apiary Inspection, \$3,850.00.)

Fifty-second—To the Director of Agriculture for the Division of Plant Industry of the Department of Agriculture: For salaries and wages: For stenographer for the Superintendent of Plant Industry, \$1,200 per annum; for plant inspection service of the State Entomologist, under the direction of the Department of Agriculture: For Chief Inspector, \$1,800 per annum; for 2 inspectors at \$1,020 each per annum, \$2,040 per annum; for inspector at part time, \$675 per annum [vetoed]; for inspector at part time, \$225 per annum [vetoed]; for stenographer, \$900 per annum; for departmental office expenses, \$530 per annum; for traveling expense, \$4,700 per annum; for equipment, \$155 per annum.

(Total for the Division of Plant Industry, \$24,450.00.)

Fifty-third—To the Director of Agriculture for the Food and Dairy Division of the Department of Agriculture: For salaries and wages: For assistant superintendent of foods, \$3,000 per annum; for

State Analyst, \$2,500 per annum; for bacteriologist, \$1,800 per annum; for chemist, \$2,100 for the first year, and \$2,200 for the second year of the biennium; for chemist, \$1,500 for the first year, and \$1,600 for the second year of the biennium; for 4 chemists at \$1,400 each per annum for the first year, and \$1,500 each per annum for the second year of the biennium, making a total of \$5,600 for the first year, and \$6,000 for the second year of the biennium; for 2 [chemists] chemist at \$1,200 per annum for the first year, and \$1,400 each per annum for the second year of the biennium, making a total of \$2,400 for the first year, and \$2,800 for the second year of the biennium; for chemist, \$1,200 per annum; for chief clerk, \$2,400 per annum; for assistant chief clerk, \$1,800 per annum; for 3 stenographers at \$1,200 each per annum, \$3,600 per annum; for janitor, \$900 per annum; for inspector, \$2,400 per annum; for inspector, \$2,100 for the first year, and \$2,200 for the second year of the biennium; for inspector, \$2,000 for the first year, and \$2,100 for the second year of the biennium; for 2 inspectors at \$1,900 each per annum for the first year, and \$2,000 each per annum for the second year of the biennium, making a total of \$3,800 for the first year, and \$4,000 for the second year of the biennium; for inspector, \$1,600 for the first year, and \$1,700 for the second year of the biennium; for 7 inspectors at \$1,500 each per annum for the first year, and \$1,600 each per annum for the second year of the biennium, making a total of \$10,500 for the first year, and \$11,200 for the second year of the biennium; for 5 inspectors at \$1,200 each per annum, \$6,000 per annum. (Salaries of inspectors are fixed by statute as follows: For the first two years of service, \$1,200 each annually; for the third year of service, \$1,400 each annually; and for each succeeding year of service, an additional increase of \$100 per year each until the maximum of \$2,400 per year is attained.) For department editor, \$1,800 per annum; for telephone operator, \$720 per annum; for departmental office expenses, \$10,975 per annum; for traveling expense, \$24,100 per annum; for operating supplies and expenses, \$2,350 per annum [vetoed]; for repairs, \$150 per annum; for equipment, \$1,900 per annum; for contingencies, \$3,000 per annum.

(Total for the Food and Dairy Division, \$206,590.)

Fifty-fourth—To the Director of Agriculture for the support of dairy extension work in the Department of Agriculture, \$20,000 per annum.

Fifty-fifth—To the Director of Agriculture for expense of the Department of Agriculture for the purpose of suppressing the foot and mouth disease in case of threatened or possible epidemic of that disease within the State of Illinois, \$50,000 for the biennium. The sum so appropriated shall be used for the suppression of the foot and mouth disease, and for no other purpose, and shall be payable only upon the order of the Governor.

Fifty-five and one-half—To the Director of Agriculture: For the enforcement of "An Act to regulate the consignment and sale on commission of farm produce and to repeal an Act named therein," the sum of \$7,500 per annum: *Provided, however*, that the money so appropriated shall be paid only out of funds paid into the State treasury as fees under said Act [vetoed].

DEPARTMENT OF LABOR.

Fifty-sixth—To the Director of Labor for the expenses and equipment of the office of the Director and of the Division of Labor Statistics: For salaries and wages: For secretary to the director, \$2,000 per annum; for assistant labor statistician, \$1,800 per annum; for department clerk, \$1,200 per annum; for stenographer, \$1,020 per annum; for one messenger, \$1,000 per annum; for 4 special agents at \$100 each per month for three months a year, \$1,200 per annum; for additional clerk hire, \$100 per annum; for departmental office expenses, \$2,275 per annum; for traveling expense, \$2,400 per annum; for repairs, \$50 for the biennium; for equipment, \$160 for the biennium; for reserve and contingencies, \$7,500 per annum.

(Total for the office of the Director and for the Division of Labor Statistics, (\$41,200.)

Fifty-seventh—To the Director of Labor for the expenses and equipment of the Free Employment Office at Chicago: For salaries and wages: For general superintendent, \$2,500 per annum; for 3 department superintendents at \$1,500 each per annum, \$4,500 per annum; for 3 assistant department superintendents at \$1,200 each per annum, \$3,600 per annum; for 3 clerks at \$1,000 each per annum, \$3,000 per annum; for chief employment clerk, \$1,500 per annum; for interpreter, \$1,200 per annum; for 3 employment solicitors at \$1,000 each per annum, \$3,000 per annum [vetoed]; for 3 file clerks at \$900 each per annum, \$2,700 per annum; for 6 department clerks at \$1,000 each per annum, \$6,000 per annum; for 5 department stenographers at \$900 each per annum, \$4,500 per annum; for 2 policemen at \$900 each per annum, \$1,800 per annum; for 2 telephone operators at \$840 per annum, \$1,680 per annum; for 3 janitors at \$900 per annum, \$2,700 per annum; for messenger, \$900 per annum; for departmental office expenses, \$12,750 per annum; for traveling expenses, \$1,000 per annum; for operating supplies and expenses, \$300 per annum; for repairs to present buildings, grounds and equipment, \$600 per annum; for equipment, \$1,300 for the first year, and \$500 for the second year of the biennium; for reserve and contingencies, \$500 per annum.

(Total for the Free Employment Offices at Chicago, \$111,260.)

Fifty-eighth—To the Director of Labor for the expenses of the Free Employment Office at East St. Louis: For salaries and wages: For superintendent, \$1,500 per annum; for assistant superintendent, \$1,200 per annum; for clerk, \$1,000 per annum; for stenographer, \$720 per annum; for janitor, \$600 per annum; for departmental office expenses, \$1,613 per annum; for traveling expense, \$25 per annum; for operating supplies and expenses, \$60 per annum; for repairs, \$30 for the biennium; for reserve and contingencies, \$50 for the biennium.

(Total for the Free Employment Office at East St. Louis, \$13,516.00.)

Fifty-ninth—To the Director of Labor for the expenses of the Free Employment Office at Peoria: For salaries and wages: For superintendent, \$1,500 per annum; for assistant superintendent, \$1,200 per annum; for clerk, \$1,000 per annum; for stenographer, \$900 per

annum; for janitor, \$360 per annum; for departmental office expenses, \$1,620 per annum; for traveling expense, \$25 per annum; for operating supplies and expenses, \$48 per annum; for reserve and contingencies, \$50 for the biennium.

(Total for the Free Employment Office at Peoria, \$13,356.)

Sixtieth—To the Director of Labor for the expenses and equipment of the Free Employment Office at Rockford: For salaries and wages: For superintendent, \$1,500 per annum; for assistant superintendent, \$1,200 per annum; for clerk, \$1,000 per annum; for stenographer, \$720 per annum; for janitor, \$400 per annum; for departmental office expenses, \$1,210 per annum; for traveling expense, \$25 per annum; for operating supplies and expenses, \$140 per annum; for equipment, \$50 for the biennium; for reserve and contingencies, \$50 for the biennium.

(Total for the Free Employment Office at Rockford, \$12,490.00.)

Sixty-first—To the Director of Labor for the expenses and equipment of the Free Employment Office at Rock Island: For salaries and wages: For superintendent, \$1,500 per annum; for assistant superintendent, \$1,200 per annum; for clerk, \$1,000 per annum; for stenographer, \$720 per annum; for janitor, \$600 per annum; for departmental office expenses, \$1,535 per annum; for operating supplies and expenses, \$30 per annum; for equipment, \$50 for the biennium; for reserve and contingencies, \$50 for the biennium.

(Total for the Free Employment Office at Rock Island, \$13,270.00.)

Sixty-second—To the Director of Labor for the expenses of the Free Employment Office at Springfield: For salaries and wages: For superintendent, \$1,500 per annum; for assistant superintendent, \$1,200 per annum; for clerk, \$1,000 per annum; for stenographer, \$720 per annum; for janitor, \$600 per annum; for departmental office expenses, \$1,350 per annum; for operating supplies and expenses, \$50 per annum; for reserve and contingencies, \$50 for the biennium.

(Total for the Free Employment Office at Springfield, \$12,890.00.)

Sixty-third—To the Director of Labor for the expenses and equipment of the General Advisory Board for the Free Employment Offices: For salaries and wages: For clerical help and investigators, \$4,000 per annum; for departmental office expenses, \$1,100 per annum; for traveling expense, \$1,000 per annum [vetoed]; for equipment, \$200 per annum.

(Total for the General Advisory Board for the Free Employment Offices, \$12,600.00.)

Sixty-fourth—To the Director of Labor for the expenses and equipment of the Chief Inspector of Private Employment Agencies: For salaries and wages: For 7 assistant inspectors at \$1,500 each per annum, \$10,500 per annum; for female inspector, \$1,500 per annum; for stenographer, \$1,000 per annum; for departmental office expenses, \$2,671 per annum; for traveling expense, \$1,050 per annum; for equipment, \$400 for the biennium.

(Total for the Chief Inspector of Private Employment Agencies, \$33,842.00.)

Sixty-fifth—To the Director of Labor for the expenses and equipment of the Factory Inspection Division of the Department of Labor:

For salaries and wages: For assistant chief factory inspector, \$2,500 per annum; for 2 physicians at \$1,500 each per annum, \$3,000 per annum; for 30 deputy inspectors at \$1,500 each per annum, \$45,000 per annum; for one deputy editor and statistician, \$1,800 per annum; for bookkeeper and stenographer, \$1,800 per annum; for one stenographer at \$1,200 per annum; for 2 stenographers at \$1,000 each per annum, \$2,000 per annum; for typist, \$900 per annum; for chief clerk \$1,200 per annum; for 2 female investigators at \$1,000 each per annum, \$2,000 per annum; for 2 clerks at \$1,080 each per annum, \$2,160 per annum; for telephone operator, \$840.00 per annum; for messenger, \$900 per annum; for temporary office help, \$750 per annum; for special investigations, \$2,400 per annum; for departmental office expenses, \$11,475 per annum; for traveling expense, \$18,000 per annum; for operating supplies and expenses, \$500 per annum; for repairs, \$150 per annum; for equipment, \$483.33 per annum.

(Total for the Factory Inspection Division of the Department of Labor, \$198,116.66.)

Sixty-sixth—To the Director of Labor for the expenses and equipment of the Industrial Commission of Illinois: For salaries and wages: For medical assistance, \$7,500 per annum; for secretary, \$2,500 per annum; for chief industrial examiner, \$2,500 per annum; for security supervisor, \$2,500 per annum; for bookkeeper, \$1,800 per annum; for telephone operator, \$840 per annum; for 6 stenographers at \$1,200 per annum, \$7,200 per annum; for 8 stenographers at \$840 each per annum, \$6,720 per annum; for 2 messengers at \$960 each per annum, \$1,920 per annum; for 7 department clerks at \$1,440 each per annum, \$10,080 per annum; for 2 department clerks at \$1,080 each per annum, \$2,160 per annum; for 8 arbitration agents at \$2,400 each per annum, \$19,200 per annum; for labor statistician (formerly secretary Bureau of Labor Statistics), \$2,500 per annum; for 2 industrial examiners at \$1,440 each per annum, \$2,880 per annum; for court reporting, \$21,600 per annum; for additional office help as needed, \$5,000 per annum; for departmental office expenses, \$15,100 per annum; for traveling expense, \$25,000 per annum; for equipment, \$5,375 for the first year, and \$3,375 for the second year of the biennium; for use of Industrial Commission in handling mediation and conciliation matters, \$5,000 per annum.

(Total for the Industrial Commission of Illinois, \$292,750.)

DEPARTMENT OF MINES AND MINERALS.

Sixty-seventh—To the Director of Mines and Minerals for expenses and equipment of the Department of Mines and Minerals: For salaries and wages: For 12 mine inspectors at \$1,800 each per annum, \$21,600 per annum; for statistician, \$1,800 per annum; for clerk, \$1,500 per annum; for 2 stenographers at \$1,200 each per annum, \$2,400 per annum; for messenger, \$900 per annum; for secretary to the director, \$2,000 per annum; for teams of 5 men at the 6 mine rescue stations, \$3,600 per annum; for 6 superintendents at mine rescue stations at \$1,500 each per annum, \$9,000 per annum; for wages of mine rescue teams at fires and explosions, \$1,000 per annum; for extra helmet men

at fires and explosions and emergency substitutes at mine rescue stations, \$2,000 per annum; for investigator to inquire into economic conditions affecting mining and all other mineral industries, \$2,000 per annum; for departmental office expenses, \$4,615 per annum; for traveling expense, \$24,000 per annum; for operating supplies and expenses, \$4,450 per annum; for repairs to present grounds, buildings and equipment, \$1,500 per annum; for equipment, \$5,083 for the biennium; for reserve and contingencies, \$4,000 per annum.

(Total for Department of Mines and Minerals, \$177,813.00.)

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS.

Sixty-eighth—To the director of Public Works and Buildings for the executive office of the Department of Public Works and Buildings: For salaries and wages: For secretary to the director, \$2,500 per annum; for clerk, \$1,800 per annum [vetoed]; for bookkeeper, \$1,800 per annum; for 2 stenographers at \$1,200 each per annum, \$2,400 per annum; for messenger, \$840 per annum; for departmental office expenses, \$3,920 per annum; for traveling expense, \$2,500 per annum; for repairs, \$500 for the first year and \$250 for the second year of the biennium; for equipment, \$3,700 for the first year, and \$1,750 for the second year of the biennium; for reserve and contingencies, \$25,000 per annum.

(Total for the executive office of the Department of Public Works and Buildings, \$87,720.)

Sixty-ninth—To the Director of Public Works and Buildings for the division of purchases and supplies of the Department of Public Works and Buildings: For the salaries and wages: For assistant to superintendent, \$2,500 per annum; for chief clerk, \$2,500 per annum; for bookkeeper, \$1,800 per annum; for assistant bookkeeper, \$1,500 per annum; for storekeeper, \$1,200 per annum; for one filing and record clerk, \$1,200 per annum; for 2 stenographers at \$1,200 each per annum, \$2,400 per annum; for one typist and stencil cutter, \$900 per annum; for one messenger and machine operator, \$900 per annum; for for extra clerical service, \$3,500 per annum [vetoed], for inspection of supplies, \$3,500 per annum; for departmental office expenses, \$6,150 for the first year, and \$6,150 for the second year of the biennium; for traveling expense, \$5,000 per annum; for equipment, \$1,685 for the first year, and \$600 for the second year of the biennium.

(Total for the division of purchases and supplies, \$68,385.00.)

Seventieth—To the Director of Public Works and Buildings for the division of architecture, construction and inspection of the Department of Public Works and Buildings: For salaries and wages: For stenographic work, \$500 per annum; for 3 structural supervisors at \$1,800 each per annum, \$5,400 per annum; for draftsman, \$1,800 per annum; for specification writer, \$2,000 per annum; for departmental office expenses, \$150 per annum; for traveling expense of the division, \$3,000 per annum; for traveling expense of the board of art advisors, \$1,000 per annum; for traveling expense of the board of parks and buildings advisors, \$300 per annum; for equipment, \$1,000 per annum;

for the completion of Lincoln statue, \$25,000 for the biennium; for the completion of Douglas statue, \$12,000 for the biennium; for reserve and contingencies, \$1,000 per annum.

(Total for the division of architecture, construction and inspection, including completion of monuments, \$69,300.00.)

Seventy-first—To the Director of Public Works and Buildings for the Highway Division of the Department of Public Works and Buildings: For salaries and wages: For bridge engineer, \$3,000 per annum; for road engineer, \$3,000 per annum; for maintenance engineer, \$2,820 per annum; for testing engineer, \$2,400 per annum; for chief clerk, \$2,100 per annum; for 2 assistant engineers at \$2,520 each per annum, \$5,044 per annum; for 6 assistant engineers at \$2,250 each per annum, \$13,500 per annum; for 2 assistant engineers at \$2,100 each per annum, \$4,200 per annum; for 2 assistant engineers at \$1,800 each per annum, \$3,600 per annum; for 8 assistant engineers at \$1,500 each per annum, \$12,000 per annum; for 2 junior engineers at \$1,380 each per annum, \$2,760 per annum; for 2 junior engineers at \$1,200 each per annum, \$2,400 per annum [vetoed]; for 2 junior engineers at \$1,020 each per annum, \$2,040 per annum; for 2 junior engineers at \$900 each per annum, \$1,800 per annum; for assistant testing engineer, \$1,500 per annum; for chemist, \$1,500 per annum; for chemist, \$1,200 per annum; for stenographer, \$1,200 per annum; for 2 stenographers at \$1,080 each per annum, \$2,160 per annum; for stenographer, \$960 per annum; for 4 stenographers at \$900 each per annum, \$3,600 per annum; for 4 stenographers at \$600 each per annum, \$2,400 per annum; for 3 stenographers at \$840 each per annum, \$2,520 per annum; for clerk, \$1,000 per annum; for clerk, \$900 per annum; for 2 clerks at \$600 each per annum, \$1,200 per annum; for bookkeeper, \$1,380 per annum; for department editor, \$1,650 per annum [vetoed]; for messenger, \$900 per annum; for messenger, \$720 per annum; for filing clerk, \$900 per annum; for temporary service of assistant engineers, resident engineers and inspectors of State aid roads and bridges, and in superintending construction of township roads and bridges, \$16,100 per annum; for departmental office expenses, \$24,320 per annum; for traveling expense, \$18,500 per annum; for equipment, \$19,020 for the first year, and \$16,500 for the second year of the biennium; for reserve and contingencies, \$10,000 per annum.

(Total for the Highway Division, \$346,060.)

Seventy-second—To the Director of Public Works and Buildings for the Division of Waterways of the Department of Public Works and Buildings: For salaries and wages: For engineering services, \$15,000 per annum; 2 custodians of records, Chicago office, \$2,000.00 each per annum, \$4,000.00 per annum; 1 bookkeeper, Chicago office, \$1,800.00 per annum; 1 bookkeeper, Springfield office, \$1,800.00 per annum [vetoed]; for 2 stenographers and clerks at \$1,500 each per annum, \$3,000 per annum; for draftsman, \$1,800 per annum; for 2 rodmen at \$1,020 each per annum, \$2,040 per annum; for service in the survey of State land and meandered waters, and in the investigation of complaints of encroachments and pollutions, \$5,000 per annum; for service in stream gauging, \$2,500 per annum; for service in prosecutions, \$1,000

per annum; for departmental office expenses, \$4,000 per annum; for traveling expense, \$3,000 per annum; for repairs to locks at Henry and Cooperas Creek on Illinois River, and dredging the entrance to the basin at LaSalle, Illinois, and for the maintenance of navigation on the Illinois River under the Department of Public Works and Buildings, \$15,000 per annum; for payment to the City of Chicago on account of special assessments, \$190.25 for the biennium; for reserve and contingencies, \$1,000 per annum; for salaries and wages, departmental office expenses, traveling expenses, operating supplies and expenses, repairs, equipment, buildings necessary for the operation and maintenance of the Illinois and Michigan Canal payable only out of such funds or moneys as shall be covered into the State treasury and placed by the State Treasurer to the credit of the special fund known as the Illinois and Michigan Canal Fund, \$30,000.00 per annum.

(Total for the Division of Waterways, \$182,070.25.)

Seventy-third—To the Director of Public Works and Buildings for the expenses of the Lincoln Monument: For salaries and wages: For custodian, \$1,500 per annum; for caretaker, \$720 per annum; for departmental office expenses, \$380 per annum; for operating supplies and expenses, including flowers and plants, \$650 per annum; for repairs, \$2,600 for the first year, and \$700 for the second year of the biennium; for reserve and contingencies, \$200 per annum.

(Total for Lincoln Monument, \$10,200.)

Seventy-fourth—To the Director of Public Works and Buildings for the expenses of Lincoln Homestead: For salaries and wages: For custodian, \$1,500 per annum; for departmental office expenses, \$50 per annum; for operating supplies and expenses, \$350 per annum; for repairs, \$2,350 for the first year, and \$350 for the second year of the biennium, for reserve and contingencies, \$250 per annum.

(Total for the Lincoln Homestead, \$7,000.00.)

Seventy-fifth—To the Director of Public Works and Buildings for the expenses and building at Ft. Massac Park: For salaries and wages: For custodian, \$600 per annum; for extra help, \$500 per annum [vetoed]; for departmental office expenses, \$109 per annum; for operating supplies and expenses, \$335 per annum; for repairs, \$1,400 for the first year [vetoed], and \$400 for the second year of the biennium, for septic tank, \$300 for the biennium, for additions to residence of custodian, \$500 for the biennium [vetoed]; for reserve and contingencies, \$100 per annum.

(Total for Ft. Massac Park, \$5,888.00.)

Seventy-sixth—To the Director of Public Works and Buildings for the expenses of the Starved Rock Park: For salaries and wages: For superintendent, \$1,000 per annum; for temporary employees, \$900 per annum; for superintendency of Starved Rock Park and general supervision of new construction from July 1, 1915, to June 30, 1917, \$2,000 for the biennium; for departmental office expenses, \$200 per annum; for repairs, \$12,500 per annum [vetoed]; for buildings, \$6,250 per annum.

Total for Starved Rock Park, \$43,700.00.)

Seventy-seventh—To the Director of Public Works and Buildings for the maintenance, repairs and improvements, Shabbona Park, Freedom township, La Salle County, \$2,500 per annum.

Total for Shabbona Park, \$5,000.00.) [vetoed]

Seventy-eighth—To the Director of Public Works and Buildings for expenses and improvements at the State Park at Ft. Chartres: The sum of \$12,250 for the biennium.

Seventy-eight and one-half—To the Director of Public Works and Buildings for general expenses connected with the maintenance and improvement and for salary of custodian, Garrison Hill Cemetery, the sum of \$5,000.00 for the biennium [vetoed].

Seventy-ninth—To the Director of Public Works and Buildings for the Division of Parks of the Department of Public Works and Buildings: For departmental office expenses, \$200 per annum, for traveling expenses of superintendent, \$2,000 per annum [vetoed]; for equipment, \$100 per annum; for reserve and contingencies, \$3,000 per annum.

Total for the office of the Division of Parks, \$10,600.00.)

Eightieth—To the Director of Public Works and Buildings for the Division of Printing of the Department of Public Works and Buildings: For salaries and wages: For assistant superintendent, \$1,800 per annum; for stenographer, \$1,200 per annum; for chief proof-reader, \$1,500 per annum; for 2 proof-readers at \$1,200 each per annum, \$2,400 per annum; for 2 copy holders at \$900 each per annum, \$1,800 per annum; for messenger, \$1,100 per annum; for department bookkeeper, \$1,800 per annum, for bill proof-readers at \$4 *per diem* during sessions of the General Assembly \$1,440 for the biennium; for cost expert, \$2,400 per annum; for departmental office expenses, \$1,160 per annum; for traveling expense, \$400 per annum; for repairs, \$185 for the biennium; for equipment, \$2,600 for the biennium; for reserve and contingencies of the office of the division, \$1,500 per annum.

Total for the Division of Printing, \$38,345.)

Eighty-first—To the Director of Public Works and Buildings for the Division of Printing of the Department of Public Works and Buildings: For the purchase on contract, as required by law, and other necessary expenses connected therewith, of printing, paper and stationery supplies for the use of the Fifty-first General Assembly, \$125,000 for the biennium.

Eighty-second—To the Director of Public Works and Buildings for the Division of Printing, the sum of \$347,980 for the first year, and the sum of \$350,980 for the second year of the biennium for printing, binding, printing paper, cover paper and other paper and stationery to be allotted and distributed among the several offices, departments, institutions, boards and commissions of the said government, as follows:

To the Governor	\$ 1,000 per annum
To the Lieutenant Governor	250 per annum
To the Secretary of State.....	80,000 per annum
To the Illinois State Library.....	1,000 per annum
To the Library Extension Commission.....	500 per annum
To the Auditor of Public Accounts.....	35,000 per annum
To the Board of Equalization.....	200 per annum

To the State Treasurer	\$ 2,900	per annum
To the Superintendent of Public Instruction.....	22,400	per annum
To the Attorney General	12,500	per annum
To the Appellate Court, First District.....	1,400	per annum
To the Appellate Court, Second District.....	500	per annum
To the Appellate Court, Third District.....	600	per annum
To the Appellate Court, Fourth District.....	330	per annum
To the Department of Finance.....	8,000	per annum
To the Department of Agriculture.....	15,575	per annum
To the Department of Labor.....	10,200	per annum
To the Department of Mines and Minerals.....	5,175	per annum
To the Department of Public Works and Buildings	17,850	per annum
To the Department of Public Welfare, for the first year	10,750	
To the Department of Public Welfare, for the sec- ond year	5,750	
To the Department of Public Health.....	10,000	per annum
To the Department of Trade and Commerce.....	41,900	per annum
To the Department of Registration and Education.	19,150	per annum
To the Adjutant General	17,500	per annum
To the Civil Service Commission.....	2,000	per annum
To the Illinois State Historical Library.....	10,200	per annum
To the Legislative Reference Bureau, for the first year	1,000	
To the Legislative Reference Bureau, for the sec- ond year	9,000	
To the Uniform Laws Commission.....	100	per annum
To the Farmers Institute	20,000	per annum
(Total for printing, binding, printing paper, cover paper and other paper and stationery, as listed above, \$698,960.)		

DEPARTMENT OF PUBLIC WELFARE.

Eighty-third—To the Director of Public Welfare for the expenses and equipment of the general office of the Department of Public Welfare: For salaries and wages: For statistician, \$2,100 per annum; for general bookkeeper, \$1,800 per annum; for 3 clerks at \$1,800 each per annum, \$5,400 per annum; for stenographer, \$1,200 per annum; for one assistant to fiscal supervisor, \$2,100 per annum; for 4 stenographers at \$1,200 each per annum, \$4,800 per annum; for stenographer, \$1,800 per annum; for stenographer, \$1,200 per annum; for three messengers at \$900 each per annum, \$2,700 per annum; for record clerk, \$1,000 per annum; for one assistant secretary and stenographer, \$1,800 per annum; for reimbursing investigator, \$1,800 per annum; for one farm, garden and dairy consultant, \$3,600 per annum; for extra help, \$1,000 per annum; for departmental office expenses, \$9,200 for the first year, and \$9,200 for the second year of the biennium; for traveling expense, \$13,000 per annum; for repairs, \$2,200 for the biennium; for equipment, \$2,125 for the first year, and \$1,125 for the second year of the biennium.

(Total for the general office of the Department of Public Welfare, \$114,450.)

Eighty-fourth—To the Director of Public Welfare for the salaries and wages of the Criminologist's Division of the Department of Public Welfare: For assistant psychologist, \$1,344 for the first year, and \$1,404 for the second year of the biennium [vetoed]; for assistant psychiatrist for the Juvenile Psychopathic Institute, \$1,644 for the first year, and \$1,704 for the second year of the biennium; for assistant psychologist for the Juvenile Psychopathic Institute, \$1,644 for the first year, and \$1,704 for the second year of the biennium; for stenographer, \$1,200 per annum; for stenographer, \$800 per annum.

(Total for salaries and wages for the Criminologist's Division, \$13,444.00.)

Eighty-fifth—To the Director of Public Welfare for the Division of Visitation of Adult Blind of the Department of Public Welfare: For salaries and wages: For one male teacher and managing officer, \$1,500 per annum; for 3 instructors at \$900 each per annum, \$2,700 per annum; for teacher, \$800 per annum; for secretary and clerical help, \$300 per annum; for departmental office expenses, \$415 per annum; for traveling expense, \$1,500 per annum; for operating supplies and expenses, \$1,300 per annum; for repairs, \$90 per annum; for equipment, \$335 for the biennium.

(Total for the Division of Visitation of Adult Blind, \$17,545.)

Eighty-sixth—To the Director of Public Welfare for the Division of Visitation of Children of the Department of Public Welfare: For salaries and wages: For State agent, \$2,000 per annum; for 3 home visitors at \$1,200 each per annum, \$3,600 per annum; for one home visitor, \$1,000 per annum; for stenographer, \$1,200 per annum; for departmental office expenses, \$1,075 for the first year, and \$875 for the second year of the biennium; for traveling expense, \$5,000 per annum; for repairs, \$500 per annum; for equipment, \$185 per annum.

(Total for the Division of Visitation of Children, \$28,920.)

Eighty-seventh—To the Director of Public Welfare for the Division of Pardons and Paroles of the Department of Public Welfare: For salaries and wages: For Assistant Superintendent of Pardons and Paroles, \$4,500 per annum; for Assistant Superintendent of Pardons and Paroles, \$3,000 per annum; for clerk, \$3,000 per annum; for stenographer, \$1,500 per annum; for filing clerk, \$1,200 per annum; for investigator, \$1,800 per annum [vetoed].

(Total salaries and wages of the Division of Pardons and Paroles, \$30,000.)

Eighty-eighth—To the Director of Public Welfare for the Board of Welfare Commissioners: For salaries and wages: For secretary, \$2,000 per annum; for stenographer, \$1,200 per annum; for inspector of institutions, \$1,800 per annum; for extra clerk hire, \$350 per annum; for departmental office expenses, \$2,550 per annum; for traveling expense, \$3,000 per annum; for library, jail and almshouse plans, \$500 per annum; for operating supplies and expenses, \$100 per annum.

(Total for the Board of Welfare Commissioners, \$23,000.)

DEPARTMENT OF PUBLIC HEALTH.

Eighty-ninth—To the Director of Public Health for expenses and equipment of the Department of Public Health: For salaries and wages: For Executive Division of the Department: For chief clerk, \$2,800 per annum; for department stenographer, \$1,800 per annum; for accounting clerk, \$1,500 per annum; for one librarian and file clerk, \$1,200 per annum; for one stenographer and clerk, \$1,000 per annum; for one stenographer and clerk, \$900 per annum [vetoed]; for medical editor at part time, \$1,200 per annum; for one messenger and laboratory helper, \$1,000 per annum; for Division of Communicable Diseases: For one chief of the division and epidemiologist, \$2,800 per annum; for supervisor of field service, \$2,220 per annum; for 2 diagnosticians at \$2,000 each per annum, \$4,000 per annum [vetoed]; for 6 district health officers at \$1,800 each per annum, \$10,800 per annum; for supervisor of child hygiene and public health nursing, \$1,800 per annum [vetoed]; for 2 public health nurses at \$1,200 each per annum, \$2,400 per annum; for 2 quarantine officers at \$1,200 each per annum, \$2,400 per annum; for 2 clerks at \$1,200 each per annum, \$2,400 per annum; for stenographer, \$1,200 per annum; for 2 stenographers at \$900 each per annum, \$1,800 per annum; for the Diagnostic Laboratory: For one chief bacteriologist and pathologist, \$2,400 per annum; for bacteriologist, \$1,500 per annum; for laboratory helper, \$1,080 per annum; for one stenographer and clerk, \$900 per annum [vetoed]: For Division of Tuberculosis: For chief of Division of Tuberculosis, \$2,800 per annum, for one stenographer and clerk, \$900 per annum [vetoed]: For Division of Sanitation: For chief sanitary engineer, \$3,600 per annum; for assistant engineer, \$2,400 per annum; for 2 assistant engineers at \$1,200 each per annum, \$2,400 per annum; for supervisor of surveys and rural hygiene, \$1,800 per annum; for farm sanitation advisor, \$1,500 per annum; for 2 sanitary inspectors at \$1,200 each per annum, \$2,400 per annum [vetoed]; for analyst, \$2,000 per annum; for clerk, \$1,320 per annum [vetoed]; for one stenographer and clerk, \$1,200 per annum; for 2 stenographers at \$900 each per annum, \$1,800 per annum: For Division of Vital Statistics: For registrar of vital statistics, \$2,400 per annum; for assistant registrar, \$1,500 per annum; for classification clerk, \$1,200 per annum; for tabulating-machine operator, \$900 per annum; for clerk, \$1,200 per annum; for 2 clerks at \$900 each per annum, \$1,800 per annum; for 2 stenographers at \$1,000 per annum, \$2,000 per annum; for 2 typists at \$900 each per annum, \$1,800 per annum; for departmental office expenses, \$9,458 per annum; for traveling expense, \$35,100 per annum; for operating supplies and expenses, \$51,050 per annum; for repairs, \$550 for the first year, and \$450 for the second year of the biennium; for equipment, \$6,725 for the first year, and \$3,950 for the second year of the biennium; for reserve and contingencies, \$31,446.01 for the first year and \$16,875 for the second year; for the necessary equipment and expenses incurred in the supervision and inspection of lodging houses, boarding houses, taverns, inns, rooming houses and hotels in cities of 100,000 or more inhabitants: For salaries

and wages: For one stenographer and clerk, \$1,500 per annum; for 5 inspectors at \$1,200 each per annum, \$6,000 per annum; for extra help of temporary nature, \$1,200 per annum; for departmental office expenses, \$1,500 per annum; for traveling expense, \$300 per annum; for operating supplies and expenses, \$500 per annum; for repairs, \$200 per annum; for equipment, \$400 per annum; for reserve and contingencies, \$600 per annum.

(Total for the Department of Public Health, \$447,652.01.)

DEPARTMENT OF TRADE AND COMMERCE.

Ninetieth—To the Director of Trade and Commerce for the expenses and equipment of the Executive Division of the Department of Trade and Commerce: For salaries and wages: For private secretary to the Director, \$2,000 per annum; for bookkeeper and stenographer, \$1,500 per annum; for index and filing clerk, \$1,500 per annum; for stenographer, \$1,200 per annum; for inspector of weights and standards, \$1,500 per annum; for messenger, \$900 per annum; for extra help, \$5,000 per annum; for departmental office expenses, \$2,520 per annum; for traveling expense, \$3,600 per annum; for repairs, \$500 for the first year, and \$250 for the second year of the biennium; for equipment, \$3,275 for the first year, and \$1,000 for the second year of the biennium; for reserve and contingencies, \$10,000 per annum.

(Total for the Executive Division of the Department of Trade and Commerce, \$64,465.)

Ninety-first—To the Director of Trade and Commerce for the expenses and equipment of the Insurance Division of the Department of Trade and Commerce: For salaries and wages: For actuary, \$1,500 per annum; for assistant actuary, \$2,400 per annum; for securities examiner, \$2,400 per annum; for chief insurance clerk, \$3,000 per annum; for assistant chief insurance clerk, \$2,400 per annum; for one cashier, bookkeeper and tax expert, \$2,400 per annum; for one auditing and chief certificate clerk, \$1,800 per annum; for one index and filing clerk, \$1,500 per annum; for chief insurance examiner, \$3,500 per annum; for 2 insurance examiners at \$2,500 each per annum, \$5,000 per annum; for one fire, inter-insurers and Lloyds examiner, \$3,000 per annum; for one legal reserve life, and policy examiner, who must be an actuary, \$2,400 per annum; for 2 insurance clerks at \$1,200 each per annum, \$2,400 per annum; for 5 insurance clerks at \$1,500 each per annum, \$7,500 per annum; for 4 stenographers at \$1,200 each per annum, \$4,800 per annum; for one stenographer, \$900 per annum [vetoed]; for watchman, \$900 per annum; for messenger, \$900 per annum; for additional examiners, \$5,000 per annum; for special investigators in prosecution of violations of insurance laws, \$5,000 per annum; for departmental office expenses, \$4,825 per annum; for traveling expense, \$12,500 per annum; for repairs, \$200 per annum; for equipment, \$1,075 for the first year, and \$875 for the second year of the biennium; for reserve and contingencies, \$2,500 per annum.

(Total for the Insurance Division of the Department of Trade and Commerce, \$165,400.)

Ninety-second—To the Director of Trade and Commerce for the Chicago District of the Grain Inspection Division of the Department of Trade and Commerce: For salaries and wages: For assistant chief inspector \$3,000 per annum; for registrar, \$2,500 per annum; for chief supervisor, \$2,750 per annum; for 3 supervising inspectors at \$2,400 each per annum, \$7,200 per annum; for 20 deputy grain inspectors at \$1,800 each per annum, \$36,000 per annum; for 48 sampler clerks at \$1,320 each per annum, \$63,360 per annum; for 26 helpers at \$1,200 each per annum, \$31,200 per annum; for chief clerk and auditor, \$3,000 per annum; for bookkeeper and cashier \$2,000 per annum; for clerk \$1,500 per annum; for stenographer \$1,200 per annum; for messenger \$1,800 per annum; for telephone operator \$840 per annum; for janitor, \$900 per annum; for extra help, \$4,000 per annum; for department office expenses \$15,455 per annum; for traveling expenses \$4,500 for the first year and \$3,500 for the second year of the biennium; for repairs \$1,200 for the first year and \$600 for the second year of the biennium; for equipment \$5,700 for the first year and \$2,000 for the second year of the biennium; for reserve and contingencies \$2,500 per annum.

(Total for the Chicago District of the Grain Inspection Division of the Department of Trade and Commerce, \$375,910.00)

Ninety-third—To the Director of Trade and Commerce, for the expenses and equipment of the East St. Louis District of the Grain Inspection Division of the Department of Trade and Commerce: For salaries and wages: For supervising grain inspector, \$2,500 per annum; for registrar and chief clerk, \$2,100 per annum; for clerk \$1,500 per annum; for four deputy inspectors at \$1,500 each per annum, \$6,000 per annum; for three grain helpers at \$1,200 each per annum, \$3,600 per annum; for 2 moisture testers at \$1,200 each per annum, \$2,400 per annum; for departmental office expenses, \$1,920 per annum; for traveling expenses, \$500 per annum; for equipment, \$360 for the first year and \$100 for the second year of the biennium; for reserve and contingencies, \$500 per annum.

(Total for the East St. Louis District of the Grain Inspection Division of the Department of Trade and Commerce, \$42,500.)

To the Director of Trade and Commerce for the salary of the deputy grain inspector for the Joliet District, \$1,500 per annum.

To the Director of Trade and Commerce for the salary of the deputy grain inspector for the Kankakee District \$1,500 per annum.

Ninety-fourth—To the Director of Trade and Commerce for the expenses and equipment of the Fire Marshal Division of the Department of Trade and Commerce: For salaries and wages: For assistant fire marshal, \$2,000 per annum; for assistant fire marshal in charge of Chicago office, \$2,000 per annum; for supervisor of investigation, \$1,800 per annum; for assistant deputy fire marshal, \$2,000 per annum; for 20 deputy fire marshals at \$1,500 each per annum, \$30,000 per annum; for 4 stenographers at \$1,200 per annum, \$4,800 per annum; for one messenger, \$900 per annum; for fees of mayors, town clerks and chiefs of departments for reporting fires, \$3,000 per annum; for special stenographic service in investigations, \$1,250 per annum; for departmental

office expenses, \$4,750 per annum; for traveling expense, \$15,000 per annum; for repairs, \$150 per annum; for equipment, \$425 per annum; for reserve and contingencies, \$2,500 per annum; for unexpended balance of appropriations made by the Forty-ninth General Assembly for salaries and for payment of special stenographers' fees, such balance being \$6,157.01 on June 4, 1917, the amount so appropriated to be available for all expenses of the Fire Marshal Division of the Department of Trade and Commerce.

The moneys appropriated for the above and foregoing shall be paid by the State Treasurer only out of the special funds paid into the State treasury in accordance with the provisions of section 12 of an Act entitled, "An Act creating the office of State Fire Marshal, prescribing his duties, and providing for his compensation and for the maintenance of his office," approved June 15, 1909, in force July 1, 1909.

(Total for the Fire Marshal Division of the Department of Trade and Commerce, \$147,307.01.)

Ninety-fifth—To the Director of Trade and Commerce for the expenses and equipment of the Public Utilities Commission: For salaries and wages of the Executive Department of the Public Utilities Commission: For assistant secretary, \$3,500 per annum; for book-keeper, \$1,500 per annum; for 5 private secretaries at \$3,000 each per annum, \$15,000 per annum; for 3 examiners at \$3,000 each per annum, \$9,000 per annum; for 9 stenographers at \$1,200 each per annum, \$10,800 per annum; for digest clerk, \$3,000 per annum; for docket and filing clerk, \$1,800 per annum; for 4 filing clerks at \$1,200 each per annum, \$4,800 per annum; for mailing clerk, \$900 per annum; for 2 typists at \$900 each per annum, \$1,800 per annum; for messenger \$900 per annum; for court reporting, \$16,800 per annum: For salaries and wages of the Engineer Department of the Public Utilities Commission: For chief engineer, \$6,000 per annum; for assistant chief engineer, \$4,500 per annum; for railroad engineer, \$4,000 per annum; for gas engineer, \$4,000 per annum; for telephone engineer, \$3,600 per annum; for assistant telephone engineer, \$2,100 per annum; for electrical engineer, \$3,600 per annum; for service engineer, \$3,600 per annum; for water and heat engineer, \$3,000 per annum; for first assistant engineer, \$2,400 per annum; for 9 assistant engineers at \$1,800 each per annum, \$16,200 per annum; for 3 casemen at \$1,800 each per annum, \$5,400 per annum; for 2 inspectors of automatic and power brakes at \$1,500 each per annum, \$3,000 per annum; for 2 draftsmen, \$1,200 each per annum, \$2,400 per annum; for 2 investigators at \$1,500 each per annum, \$3,000 per annum; for filing clerk, \$1,200 per annum; for 4 stenographers at \$1,200 each per annum, \$4,800 per annum; for 2 stenographers at \$1,000 each per annum, \$2,000 per annum [vetoed]; for 3 stenographers at \$900 each per annum, \$2,700 per annum; for messenger, \$1,000 per annum; for laboratory assistant at one-half time, \$750 per annum: For salaries and wages of the Accounting Department of the Public Utilities Commission: For chief accountant and statistician, \$6,000 per annum; for assistant chief accountant, \$3,000 per annum; for 2 examiners of accounts at \$2,700 each per annum, \$5,400 per an-

num; for 2 assistant accountants at \$1,500 each per annum, \$3,000 per annum; for statistician, \$2,400 per annum; for one assistant statistician, \$2,000 per annum; for 2 statistical clerks at \$1,500 each per annum, \$3,000 per annum; for utilities rate expert, \$2,000 per annum; for warehouse inspector, \$1,800 per annum; for department clerk, \$1,200 per annum; for 3 stenographers at \$1,200 each per annum, \$3,600 per annum; for 2 stenographers at \$1,000 each per annum, \$2,000 per annum: For the salaries and wages of the Railroad Rate Department of the Public Utilities Commission: For transportation rate expert, \$5,000 per annum; for 2 assistant transportation rate experts at \$3,000 each per annum, \$6,000 per annum; for 2 tariff clerks at \$1,500 each per annum, \$3,000 per annum; for stenographer, \$1,200 per annum; for stenographer, \$1,000 per annum; for departmental office expenses, \$25,400 per annum; for traveling expense, \$25,000 per annum; for repairs, \$1,000 per annum; for equipment, \$5,500 for the first year, and \$4,500 for the second year of the biennium; for reserve and contingencies, \$37,500 per annum.

(Total for the Public Utilities Commission, \$589,100.)

DEPARTMENT OF REGISTRATION AND EDUCATION.

Ninety-sixth—To the Director of Registration and Education for the office of the Department of Registration and Education: For salaries and wages: For secretary to the Director, \$1,800 per annum; for stenographer, \$1,000 per annum; for one clerk, \$1,500 per annum; for traveling expense, \$9,000 per annum.

(Total for the office of the Department of Registration and Education, \$26,600.)

Ninety-seventh—To the Director of Registration and Education for the Division of Registration of the Department of Registration and Education: For salaries and wages: For per diem of examining committees, \$18,000 per annum; for one bookkeeper and cashier, \$1,800 per annum; for stenographer, \$1,800 per annum; for clerk, \$1,800 per annum; for 2 clerks at \$1,500 each per annum, \$3,000 per annum; for clerk, \$1,200 per annum; for stenographer, \$1,500 per annum; for 2 stenographers at \$1,000 each per annum, \$2,000 per annum; for 3 stenographers and clerks at \$1,000 each per annum, \$3,000 per annum; for one stenographer and clerk, \$900 per annum; for 2 inspectors at \$1,800 each per annum, \$3,600 per annum; for inspector, \$1,500 per annum; for two inspectors at \$1,200 each per annum, \$2,400 per annum; for monitors and extra help as needed, \$1,200 per annum; for departmental office expenses, \$10,720 per annum; for messenger, \$900 per annum; for traveling expense, \$18,100 per annum; for operating supplies and expenses, \$1,800 per annum; for equipment, \$2,615 for the first year, and \$150 for the second year of the biennium; for reserve and contingencies, \$11,300 per annum.

(Total for the Division of Registration, \$175,805.)

Ninety-eighth—To the Director of Registration and Education for the State Museum: For salaries and wages: For curator, \$3,600 per annum; for assistant curator, \$1,200 per annum; for janitor, \$1,000

per annum; for temporary help, \$600 per annum; for departmental office expenses, \$1,250 per annum; for traveling expense, \$400 per annum; for repairs, \$1,050 per annum; for equipment, \$4,250 for the first year, and \$3,550 for the second year [vetoed] of the biennium.

(Total for the State Museum, \$26,000.)

Ninety-ninth—To the Director of Registration and Education for the Natural History Survey: For salaries and wages: For Director at part time, \$1,500 per annum; for biologist, \$1,800 per annum; for biologist at part time, \$500 per annum; for librarian and assistant at part time, \$900 per annum; for engineer at part time, \$500 per annum; for temporary service, \$100 per annum; for departmental office expenses, \$800 per annum; for traveling expense, \$400 for the first year, and \$700 for the second year of the biennium; for operating supplies and expenses, \$175 for the first year, and \$300 for the second year of the biennium; for repairs, \$350 per annum; for equipment, \$750 for the first year, and \$775 for the second year of the biennium; for reserve and contingencies, \$250 per annum.

(Total for the Natural History Survey, \$16,500.00.)

* *One Hundredth*—To the Director of Registration and Education for the Geological Survey Division of the Department of Registration and Education: For salaries and wages: For Director, \$1,200 per annum; for geologists, \$7,920 for the first year, and \$7,120 for the second year of the biennium; for assistant geologists, \$4,600 for the first year, and \$5,000 for the second year of the biennium; for draftsmen, \$1,020 per annum [vetoed]; for stenographer, \$1,200 per annum; for stenographer, \$840 per annum; for scientific and clerical services, \$3,055 for the first year, and \$2,850 for the second year of the biennium; for geologists on oil work, \$3,600 per annum [vetoed]; for geologists on clay work, \$1,800 per annum [vetoed]; for testing engineer on clay work, \$1,200 per annum [vetoed]; for geologists on investigation of road material, \$1,800 per annum [vetoed]; for assistant geologists on investigation of road material, \$700 for the first year, and \$900 for the second year of the biennium [vetoed]; for departmental office expenses, \$1,645 for the first year, and \$1,645 for the second year; for traveling expenses, \$7,250 for the first year, and \$7,450 for the second year of the biennium; for operating supplies and expenses, \$1,618 for the first year, and \$1,828 for the second year of the biennium; for repairs, \$170 for the first year, and \$225 for the second year of the biennium; for equipment, \$2,204 for the first year, and \$784 for the second year of the biennium; for printing, binding and illustrations, \$7,000 per annum [vetoed]; for reserve and contingencies, \$10,100 per annum.

(Total for the Geological Survey Division, \$122,484.)

One hundred first—To the Director of Registration and Education for the Water Survey Division of the Department of Registration and Education: For salaries and wages: For Director at part time, \$3,000 per annum; for engineers, chemists and bacteriologists, \$10,200 per annum; for assistant engineers, assistant chemists and assistant bacteriologists, \$6,000 per annum [vetoed]; for chief clerk, editor and

stenographers, \$5,400 per annum; for janitors and day labor, \$4,000 per annum; for departmental office expenses, \$2,284 per annum; for traveling expense, \$3,000 per annum; for operating supplies and expenses, \$1,000 per annum; for repairs, \$500 per annum; for equipment, \$10,200 for the first year, and \$4,200 for the second year [vetoed] of the biennium; for reserve and contingencies, \$1,000 per annum.

(Total for the Water Survey Division, \$87,168.00.)

One hundred second—To the Director of Registration and Education for the Entomological Survey Division of the Department of Registration and Education: For salaries and wages: For State entomologist at part time, \$2,000 per annum; for entomologist, \$1,600 per annum; for 2 entomologists at \$1,800 each per annum, \$3,600 per annum; for 3 entomologists at \$1,500 each per annum, \$4,500 per annum; for stenographer, \$1,200 per annum; for clerk, \$900 per annum; for bookkeeper at part time, \$180 per annum; for janitor at part time, \$180 per annum; for extra help, \$1,000 per annum; for departmental office expenses, \$495 per annum; for traveling expense, \$1,750 per annum; for operating supplies and expenses, \$1,240 per annum; for repairs, \$425 per annum; for equipment, \$4,070 for the first year, and \$1,070 for the second year [vetoed] of the biennium; for reserve and contingencies, \$500 per annum.

(Total for the Entomological Survey Division, \$44,280.00.)

ADJUTANT GENERAL.

One hundred third—To the Adjutant General: For salaries and wages: For chief clerk, \$2,400 per annum; for record clerk, \$2,000 per annum; for custodian State Arsenal, \$1,200 per annum; for stenographer, \$1,500 per annum; for stenographer, \$1,200 per annum; for 3 stenographers at \$900 each per annum, \$2,700 per annum; for stenographer, \$1,200 per annum; for 2 watchmen at \$900 each per annum, \$1,800 per annum; for 3 clerks at \$1,200 each per annum, \$3,600 per annum; for custodian State Memorial Hall, \$1,300 per annum; for ordnance sergeant, \$840 per annum; for custodian Camp Lincoln, \$1,200 per annum; for messenger, \$1,000 per annum; for bookkeeper State Arsenal, \$1,500 per annum; for departmental office expenses, \$3,833.17 per annum; for equipment, \$114 per annum.

(Total for the office of the Adjutant General, \$54,774.34.)

One hundred three and one-half—To the Adjutant General, the sum of \$40,000, or so much thereof as may be necessary, for the purpose of providing transportation and incidental expenses from their respective homes within this State to Vicksburg, Mississippi, and return for such honorably discharged Union and Confederate veterans as participated in the campaign of Vicksburg, in order to permit such veterans to attend a National Reunion and Peace Jubilee to be held in Vicksburg National Military Park in October, 1917. The Adjutant General is hereby authorized to employ such of this fund as may be necessary for clerk and stenographic hire, stationery, postage, printing and other expenses in connection with this re-union.

CIVIL SERVICE COMMISSION.

One hundred fourth—To the Civil Service Commission: For salaries and wages: For one assistant examiner, \$2,100 per annum; for one assistant examiner, \$1,800 per annum; for 2 stenographers at \$1,200 each per annum, \$2,400 per annum; for 3 stenographers at \$1,200 each per annum, \$3,600 per annum; for 2 stenographers at \$1,080 each per annum, \$2,160 per annum; for one stenographer, \$840 per annum; for one filing clerk, \$1,080 per annum; for one department clerk, \$1,320 per annum; for one messenger, \$1,100 per annum; for one examiner of efficiency, \$1,800 per annum; for *per diem* of examining officers, \$3,850 per annum; for departmental office expenses, \$7,520 per annum; for traveling expense, \$2,750 per annum; for equipment, \$1,100 for the biennium.

(Total for the Civil Service Commission, \$65,740.)

ILLINOIS STATE HISTORICAL LIBRARY.

One hundred fifth—To the Illinois State Historical Library for expenses and equipment: For salaries and wages: For assistant librarian, \$1,800 per annum; for one stenographer and record clerk, \$1,300 per annum; for cataloger, \$1,000 per annum; for messenger, \$900 per annum; for temporary employees, \$1,000 [per] annum; for office of the special editor; for general editor, \$1,750 per annum; for assistant general editor, \$1,200 per annum; for historical clerk, \$850 per annum; for temporary employees, \$1,500 per annum; for departmental office expenses, \$2497.50 per annum; to the Illinois State Historical Society, \$2,500.00 per annum; for traveling expense, \$1,200 per annum; for traveling expense of the special editor, \$350 per annum; for repairs, \$138 per annum; for equipment, \$7,566.06 for the biennium; for equipment for special editor, \$300 for the biennium.

(Total for the Illinois State Historical Library, \$43,837.06.)

LEGISLATIVE REFERENCE BUREAU.

One hundred sixth—To the Legislative Reference Bureau for expenses and equipment: For salaries and wages: For secretary, \$5,000 per annum; for other employees, \$23,700 per annum; for departmental office expenses, \$1,500 per annum; for traveling expense, \$2,000 per annum; for repairs to present equipment, \$200 for the biennium; for equipment, \$3,000 for the biennium; for reserve and contingencies, \$1,000 per annum.

(Total for the Legislative Reference Bureau, \$69,600.00.)

PENITENTIARY BUILDING COMMISSION.

One hundred seventh—To the Penitentiary Commission: In accordance with and for the purpose of carrying out the provisions of an Act entitled, "An Act creating a commission and providing for the acquisition of land for the relocation of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane

Criminals at or near the city of Joliet, and making an appropriation therefor," approved June 5, 1907, in force July 1, 1907, as amended by an Act entitled, "An Act making an appropriation for the acquisition of land for the relocation of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals at or near the city of Joliet," approved June 11, 1909, in force July 1, 1909, and an Act entitled, "An Act making an appropriation for the acquisition of land and matters incidental and pertaining thereto, for the relocation of the Illinois State Penitentiary and the Illinois Asylum for Insane Criminals, and for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals, at or near the city of Joliet, and repealing a part of a certain Act therein named," approved June 7, 1911, and in force July 1, 1911 and an Act entitled, "An Act making an appropriation for the building of a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals, and matters incidental and pertaining thereto, at or near the city of Joliet," approved June 25, 1913, in force July 1, 1913; for building, equipment and improvements provided for in said Act, approved June 5, 1907, in force July 1, 1907, and for all purposes incidental thereto and necessary to carry out the provisions of said last mentioned Act creating said commission, and providing for the building of the new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals, the sum of three hundred thousand (\$300,000) dollars for the biennium.

UNIFORM LAWS COMMISSION.

One hundred eighth—To the Commission for the Uniformity of Legislation in the United States: For salaries and wages: For clerical and stenographic help, \$200 per annum; for departmental office expense, \$200 per annum; for traveling expense, \$750 per annum.

(Total for the Commission for the Uniformity of Legislation in the United States, \$2,300.00.)

One hundred eight and one-half—To commission to arrange for and conduct an exhibition and celebration to commemorate the fiftieth anniversary of the freeing of the negro from slavery, the sum of \$2,100.

DEAF, BLIND AND DELINQUENT CHILDREN:

One hundred ninth—To the Boards of Education named, to cover the excess cost for educating the deaf, dumb, blind and delinquent children as provided for by an Act entitled, "An Act to enable school directors and boards of education to establish and maintain classes and schools for deaf and dumb and blind, and providing for the payment from the State treasury of the excess cost of maintaining and operating such classes and schools over the cost of maintaining and operating elementary schools for normal children," approved June 2, 1911, in force July 1, 1911, and under an Act entitled, "An Act to enable school directors and boards of education to establish and maintain classes and schools for delinquent children committed by courts of competent jurisdiction and providing for the payment from the State treasury of the excess cost of

maintaining and operating the said classes and schools over the cost of maintaining and operating elementary schools for normal children," the following sums: To the Board of Education of District No. 131, situated in Rochelle, in the County of Ogle and State of Illinois, \$770 per annum: To the Board of Education of the City of Chicago: For the excess cost of educating delinquent children, \$90,250 for the first year, and \$96,050 for the second year of the biennium: To the Board of Education of the City of Chicago: For the excess cost of educating deaf children, \$30,800 for the first year, and \$33,000 for the second year of the biennium: To the Board of Education of the City of Chicago: For the excess cost of educating blind children, \$7,200 for the first year, and \$8,000 for the second year of the biennium: To the Board of Education of District No. 131, situated in Aurora, in Kane County, Illinois: For the excess cost of educating the deaf in the school years 1914-1915 and 1915-1916, the sum of \$1,858.26, and for the cost of educating the deaf for the biennium beginning July 1, 1917, the sum of \$950.00 per annum.

(Total for educating deaf, dumb blind and delinquent children, \$270,598.26.)

CLAIMS.

One hundred tenth—To the receivers of the Central Union Telephone Company, incorporated, of Springfield, Illinois, for exchange services rendered as per contract, to the clerk and committees of the House of Representatives of the Forty-ninth General Assembly the sum of \$111.85.

One hundred eleventh—To Samuels and Samuels, Chicago, Illinois: For refund on account of corporation fees erroneously paid into the State treasury by the Secretary of State about March 29, 1916, in the matter of the incorporation of the Alhambra Building Company, final papers of incorporation surrendered without any action thereunder, the sum of \$270.

One hundred twelfth—To Fisher and Norty, Rockford, Illinois: For refund on account of corporation fees erroneously paid into the State treasury by the Secretary of State about May 15, 1914, in the matter of the incorporation of the Rockford Commission Company, final papers of incorporation not issued, the sum of \$60.

One hundred thirteenth—To Hill and Hill, Chicago, Illinois: For refund on account of corporation fees paid a second time into the State treasury by the Secretary of State about December 12, 1916, in the matter of the incorporation of the Gosso Company, the sum of \$70.

One hundred fourteenth—To O. H. Hyatt: For refund on account of corporation fees erroneously paid into the State treasury by the Secretary of State about July 17, 1912, in the matter of the incorporation of the Ideal Culbert Form Company, which was not in fact organized, the sum of \$50.

One hundred fifteenth—To A. T. Willett & Company, for services rendered Battery B, Field Artillery, Illinois National Guard, between May 31, 1910 and July 20, 1914, inclusive, the sum of \$499.00.

§ 2. The term "Salaries and Wages" as used in this Act shall mean and include salaries, wages and other compensation for personal service.

The term "Office Expenses" as used in this Act shall mean and include postage, telephone, telegraph, rent, office supplies, express, freight, drayage, for departments and institutions.

The term "Traveling Expense" as used in this Act shall mean and include railroad fares, hotel bills, livery hire, street car fares and similar personal expenses incurred wholly in the State service.

The term "Operating Supplies and Expenses" as used in this Act shall mean and include fuel, food, wearing apparel, household supplies, plant and departmental supplies and institutional operating expenses.

The term "Repairs" as used in this Act shall mean and include replacements, but not betterments. Such repairs may be made under contract in whole or in part, or may be by the direct use of labor, materials and service.

The term "Equipment" as used in this Act shall mean and include equipment of permanent value, including furniture, fixtures, machinery, scientific apparatus, live stock, vehicles, maps, books, educational equipment and recreational equipment.

The term "Buildings" as used in this Act shall mean and include expenditures for the construction of new buildings and additions to old ones, new fences, tunnels, sidewalks, drainage ditches, pavements, walls and other permanent improvements, either in whole or in part and including the designing of such structures and the supervision of construction. Such construction may be under contract, in whole or in part, or may be by the direct use of labor, materials and service.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for all sums herein appropriated upon the presentation of itemized bills, except as otherwise provided in this Act, accompanied by vouchers certified to as correct, certified and approved as follows:

(1) For sums herein appropriated to departments created by "The Civil Administrative Code," certified by the department required by existing law to perform the work and incur the expenditure and approved by the Department of Finance;

(2) For sums herein appropriated to the elective officers in the executive department, certified by the elective officer making the expenditure;

(3) For sums herein appropriated to the Supreme Court, certified by the chief justice of the Supreme Court;

(4) For sums herein appropriated to the several Appellate Courts, certified by the chief justice of the Appellate Court, the district from which the expenditure is made;

(5) For sums herein appropriated to the Adjutant General, certified to by the Adjutant General and approved by the Department of Finance;

(6) For sums herein appropriated to the Legislative Reference Bureau, certified to by the secretary thereof, and approved by the Department of Finance;

able delays, requiring my stay at hotels for the time specified; that I performed the journey with all practicable dispatch, by the shortest route usually traveled, in the customary reasonable manner, and that I have not been furnished with transportation, or money in lieu thereof, for any part of the journey herein charged for.

.....”

§ 5. The Director of Public Works and Buildings and the Secretary of State are hereby authorized and directed to make contracts and incur liabilities in the maintenance of central telephone exchange service for the use of the offices, departments, boards and commissions located in Springfield.

The officers, heads of departments and chairmen of boards and commissions shall draw requisitions for telephone exchange services in the city of Springfield on the Secretary of State and the Director of Public Works and Buildings, and disbursements for such telephone exchange service shall be charged to the departmental office expenses appropriations made in this Act to the respective offices, departments, boards and commissions.

The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer under appropriations for departmental office expenses made in this Act, for bills for telephone exchange service in the city of Springfield only upon the presentation of itemized bills certified to as correct by the Secretary of State and by the Director of Public Works and Buildings and approved by the officers, heads of departments or chairmen of boards and commissions respectively, to whose appropriations such bills are charged. Nothing in this section shall be so construed as to prohibit the elective officers in the Executive Department of the State government from making contracts for and supplying to their respective offices telephone service and paying for such service out of the proper appropriations made herein to their respective offices. And, when such contracts for telephone services are made by said officers, or any or either of them, vouchers, accompanied by itemized bills, for the payment of such service shall be certified by the officer requiring such service, and the Auditor of Public Accounts shall thereupon issue his warrant on the State Treasurer for the sums so certified.

§ 6. The Auditor of Public Accounts is hereby authorized and directed, in the case of all bills and vouchers where the procedure for payment is not otherwise specified in this Act, to draw warrants on the State Treasurer for all sums herein appropriated upon the presentation of itemized and receipted bills, accompanied by vouchers certified to as correct by the officers or heads of departments and chairmen of boards and commissions respectively. Vouchers for disbursements for departments created by the Civil Administrative Code, for offices whose heads are appointed by the Governor, and for boards and commissions whose members are appointed by the Governor, shall be approved, also, by the Director of Finance.

The Auditor of Public Accounts is hereby authorized, and it is made his duty, to refuse to draw any warrant or warrants when any of the provisions of this Act are not strictly complied with.

§ 7. It is expressly understood that any item or items, in any and all paragraphs of this bill, may be vetoed without in any manner affecting any of the other items, in any of the paragraphs of this bill.

APPROVED (except as to the items disapproved in my veto message)
June 29, 1917.

* Indicates vetoed.

STATE OF ILLINOIS,
OFFICE OF THE GOVERNOR,
SPRINGFIELD, June 29, 1917.

To the Honorable, the House of Representatives of the General Assembly of Illinois:
I return herewith House Bill No. 1030, entitled, "An Act to provide for the ordinary and contingent expenses of the State Government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

I veto and withhold my approval from the following items therein contained:

Page 2, Section 1, Paragraph Second:

I veto this entire paragraph appropriating \$267.76.

Page 8, Section 1, Paragraph Seventh:

Lines 17 and 18 from the top of the page, the following items are disapproved:

"For roof repairs, \$50,000."

Page 9, Section 1, Paragraph Seventh:

Lines 17, 18 and 19 from the top of the page, the item:

"For 2 toilet rooms fifth and sixth floors, south wing, \$2,600 for the biennium."

Pages 9 and 10, Section 1, Paragraph Seventh:

In lines 21, 22, 23 and 24 from the top of the page and in line 1 at the top of page 10, the item:

"Painting of wall, finishing floor and picture moulding, awnings and curtains, fifth and sixth floors, south wing, \$1,500 for the biennium."

Page 11, Section 1, Paragraph Eight and one-half.

I veto this entire paragraph appropriating \$60,000.

Page 15, Section 1, Paragraph Thirteenth:

In lines 11, 12 and 13 from the top of the page, I veto the following item:

"For extra clerk hire and examiners, \$5,000 per annum."

Page 16, Section 1, Paragraph Thirteenth:

In lines 11 and 12 from the top of the page, the following item is disapproved:

"For repairs, \$1,000.00 for the biennium."

Page 19, Section 1, Paragraph Twentieth:

I veto this entire paragraph appropriating \$500.00.

Pages 28 and 29, Section 1, Paragraph Thirty-fifth:

The following item in lines 21, 22 and 23, Page 28 and lines 1, 2, 3, 4, 5, 6 and 7, an Page 29, is vetoed:

"For expenses in the collection of evidence and the employment of necessary assistants in the prosecution of litigation relative to submerged and made lands in connection with the navigable waters of the State of Illinois, and incidental legal expenses in connection with the construction of the deep waterway, \$25,000 per annum."

Page 37, Section 1, Paragraph Forty-eighth:

I veto the following items:

In lines 1 and 2 at the top of the page, "For Department Clerk, \$1,500 per annum."

In lines 7, 8, 9, 10, 11, 12, 13, and 14, from the top of the page:

"For two boat engineers for eight months each year, at \$1,000 each per annum—\$2,000 per annum:

"For four laborers for fish propagation for six months each year, \$450 each per annum—\$1,800 per annum:

"For superintendent of Fish Hatchery, \$1,200 per annum:

"For fish culturist, \$1,500 per annum."

In lines 17 and 18 from the top of Page 37, the item:

"For fish hatchery at Chicago, \$25,000."

Page 39, Section 1, Paragraph Forty-ninth:

In lines three and four from the top of the page, I veto the item:

"For clerk, \$1,800 per annum."

Page 40, Section 1, Paragraph Fiftieth:

In lines 5, 6, and 7, from the top of Page 40, I veto the item:

"For veterinary services and assistant inspector of stallions, \$3,000 per annum."

Page 41, Section 1, Paragraph Fifty-second:

In lines 11, 12, 13, and 14 from the top of the page, I veto the items:

"For inspector at part time, \$675 per annum:

"For inspector at part time, \$225 per annum."

Page 44, Section 1, Paragraph Fifty-third:

In lines 7 and 8 from the top of the page, I disapprove the item "For operating supplies and expenses, \$2,350 per annum."

Page 44, Section 1, Paragraph Fifty-five and one-half:
 I veto this entire paragraph, appropriating \$7,500 per annum.

Page 46, Section 1, Paragraph Fifty-seventh:
 In lines 12 and 13 from the top of the page, I veto the item, "For three employment solicitors, at \$1,000 each per annum—\$3,000 per annum."

Page 50, Section 1, Paragraph Sixty-third:
 In lines 14 and 15 from the top of the page, I disapprove the item, "For traveling expense, \$1,000 per annum."

Page 55, Section 1, Paragraph Sixty-eighth:
 In line 1 at the top of the page, I veto the item, "For clerk, \$1,800 per annum."

Page 56, Section 1, Paragraph Sixty-ninth:
 In lines 3 and 4 from the top of the page, I disapprove the item, "For extra clerical services, \$3,500 per annum."

Page 58, Section 1, Paragraph Seventy-first:
 In lines 5 and 6 from the top of page, I veto the item, "For 2 Junior Engineers, at \$1,200 per annum, \$2,400 per annum."

Page 58, Section 1, Paragraph Seventy-first:
 In lines 22 and 23 from the top of the page, I veto the item, "For Department Editor, \$1,550 per annum."

Page 59, Section 1, Paragraph Seventy-second:
 In lines 21 and 22 from the top of the page, I disapprove the item, "One Book-keeper Springfield Office, \$1,800 per annum."

Page 62, Section 1, Paragraph Seventy-fifth:
 In lines 9 and 10 from the top of the page, I veto the item, "For extra help, \$500 per annum."

Page 62, Section 1, Paragraph Seventy-fifth:
 In lines 13 and 14 from the top of the page, I disapprove the item, "For repairs, \$1,400 for the first year."

Page 62, Section 1, Paragraph Seventy-fifth:
 In lines 16, 17 and 18 from the top of the page, I disapprove the item, "For additions to residence of custodian, \$500 for the biennium."

Page 63, Section 1, Paragraph Seventy-sixth:
 In line 6 from the top of the page, I veto the following item:
 "For repairs, \$12,500 per annum."

Page 63, Section 1, Paragraph Seventy-seven, I veto this entire paragraph of \$2,500 per annum."

Page 63, Section 1, Paragraph Seventy-eight and one-half:
 I veto this entire paragraph appropriating \$5,000 for the biennium."

Page 64, Section 1, Paragraph Seventy-ninth:
 In lines 8 and 9 from the top of the page, I disapprove the item:
 "For traveling expenses of Superintendent, \$2,000.00 per annum."

Page 69, Section 1, Paragraph Eighty-fourth:
 In lines 21, 22, and 23 from the top of page 69, and in line 1 from the top of page 70, I disapprove the item:
 "For Assistant Psychologist, \$1,344.00 for the first year, and \$1,404 for the second year of the biennium."

Page 72, Section 1, Paragraph Eighty-seventh:
 In lines 10 and 11 from the top of the page, I veto the item:
 "One Investigator, \$1,800.00 per annum."

Page 73, Section 1, Paragraph Eighty-ninth:
 In lines 16 and 17 from the top of the page, I disapprove the item:
 "For one stenographer and clerk, \$900.00 per annum."

Page 74, Section 1, Paragraph Eighty-ninth:
 In lines 1, 2, and 3 from the top of the page, I veto the item:
 "For two diagnosticians, at \$2,000.00 each per annum, \$4,000.00 per annum."

Page 74, Section 1, Paragraph Eighty-ninth:
 In lines 5, 6, and 7 from the top of the page, I veto the item:
 "For Supervisor of Child Hygiene and Public Health Nursing, \$1,800.00 per annum."

Page 74, Section 1, Paragraph Eighty-ninth:
 In lines 20 and 21 from the top of the page, I disapprove the item:
 "For one stenographer and clerk, \$900.00 per annum."

Page 74, Section 1, Paragraph Eighty-ninth:
 In line 24, on page 74, and line 1 at the top of page 75, I disapprove the item:
 "For one stenographer and clerk, \$900.00 per annum."

Page 75, Section 1, Paragraph Eighty-ninth:
 In lines 10, 11, 12, 13, and 14, I veto the items:
 "For two Sanitary Inspectors, at \$1,200.00 per annum, \$2,400.00 per annum."
 "One clerk, at \$1,320.00 per annum."

Page 79, Section 1, Paragraph Ninety-first:
 In line 23, I veto the item:
 "For one stenographer, \$900.00 per annum."

Page 88, Section 1, Paragraph Ninety-fifth:
 In lines 6 and 7, I veto the item:
 "For two stenographers, at \$1,000.00 each per annum, \$2,000.00 per annum."

Page 93, Section 1, Paragraph Ninety-eighth:
 In lines 3 and 4, I disapprove the item:
 "And \$3,550 for the second year."

Page 94, Section 1, Paragraph One Hundredth:
 In lines 19 and 20, I disapprove the item:
 "For draftsmen, \$1,020 per annum."

Page 95, Section 1, Paragraph One Hundredth:

In lines 1, 2, 3, 4, 5, 6, 7, 8, and 9, the following items are vetoed:

"For geologists on oil work, \$3,600 per annum; for geologists on clay work, \$1,800 per annum; for testing engineer on clay work, \$1,200 per annum; for geologists on investigation of road material, \$1,800 per annum; for assistant geologists on investigation of road material, \$700.00 for the first year, and \$900.00 for the second year of the biennium."

Page 95, Section 1, Paragraph One Hundredth:

In lines 21 and 22, this item is disapproved:

"Printing, binding and illustrations, \$7,000 per annum."

Page 96, Section 1, Paragraph One Hundred First:

In lines 7, 8, and 9, this item is vetoed:

"For assistant engineers, assistant chemists and assistant bacteriologists, \$6,000 per annum."

Page 96, Section 1, Paragraph One Hundred First:

In lines 18, 19, and 20, the following item is vetoed:

"And \$4,200 for the second year."

Page 97, Section 1, Paragraph One Hundred Second:

In lines 23 and 24, the following item is disapproved:

"And \$1,070 for the second year."

Respectfully submitted,

FRANK O. LOWDEN, *Governor*.

Filed July 3, 1917.

LOUIS L. EMMERSON, *Secretary of State*.

STATE HIGHWAY COMMISSION.

§ 1. Appropriates \$6,530.00.

§ 3. Emergency.

§ 2. How drawn.

(HOUSE BILL No. 354. APPROVED APRIL 26, 1917.)

AN ACT *making an additional appropriation to the State Highway Commission.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be and the same are hereby appropriated to the State Highway Commission, additional to the appropriations heretofore made to the State Highway Commission.

For etchings and cuts.....	\$ 200.00
Advertising State aid roads.....	700.00
Telephone and telegraph.....	1,000.00
Typewriter and addressograph supplies.....	200.00
Blue print paper, tracing cloth and other office supplies.....	3,000.00
Freight and express.....	250.00
Laboratory supplies, water and ice.....	680.00
Contingent	500.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for all sums herein appropriated, for etchings and cuts, typewriter and addressograph supplies and blue print paper, tracing cloth and other office supplies upon the order of the Superintendent of Printing, approved by the Governor; and for all other appropriations specified herein upon vouchers drawn by the State Highway Commission, accompanied by itemized receipted bills showing the expenditure of moneys named in the itemized bills.

§ 3. WHEREAS, an emergency exists, therefore, this Act shall take effect and be in force from and after its passage.

APPROVED April 26, 1917.

STATE PENITENTIARIES—DEFICIENCIES.

- § 1. Appropriates \$35,000.00 as follows: § 2. How drawn.
 Illinois State Penitentiary, \$25,-
 000.00; Southern Illinois Peniten- § 3. Emergency.
 tiary, \$10,000.00.

(HOUSE BILL NO. 980. APPROVED JUNE 25, 1917.)

AN ACT *making further appropriations to meet deficiencies in the appropriations for maintenance and operation of the penitentiaries of the State.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated, in addition to the appropriations heretofore made, to the penitentiaries of the State, for maintenance, subsistence and supplies, to and including June 30, A. D. 1917, the following sums respectively:

To the Illinois State Penitentiary at Joliet, twenty-five thousand dollars.

To the Southern Illinois Penitentiary, ten thousand dollars[.]

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sums hereby appropriated upon the presentation of itemized vouchers certified to by the commissioners of the respective penitentiaries, signed by the president, and attested by the secretary thereof, with the seal of the institution attached, and approved by the Governor.

§ 3. WHEREAS the appropriations above recited are necessary to maintain and operate the respective penitentiaries in addition to the regular and special appropriations heretofore made, an emergency exists and this Act shall be in force and effect from and after its passage.

APPROVED June 25, 1917.

STATE TREASURER—DEFICIENCY.

- § 1. Appropriates \$23,500.00 for purposes § 2. How drawn.
 named. § 3. Emergency.

(HOUSE BILL NO. 255. APPROVED MARCH 12, 1917.)

AN ACT *to make an appropriation to the State Treasurer to provide funds necessary to carry on the business of the State to July 1, 1917.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twenty-three thousand five hundred dollars (\$23,500) be and the same is hereby appropriated to the State Treasurer, to provide funds necessary to carry on the business of the State to July 1, 1917, for the purposes herein named:

Expense of handling and passing on collateral; expense examining titles and appraising property in connection with the Illinois State Teachers' Pension and Retirement Fund loans	\$ 4,500.00
Postage, express and other incidental office expense.....	\$ 1,000.00
For employment of investigators and other expenses in collection of inheritance tax.....	\$18,000.00
Total	\$23,500.00

§ 2. The Auditor of Public Accounts is hereby authorized and directed, upon the presentation of proper vouchers, to draw his warrants for the sum appropriated, and the State Treasurer is hereby authorized and directed to pay the same out of any moneys in the treasury not otherwise appropriated.

§ 3. WHEREAS, the moneys above appropriated are immediately required, therefore, an emergency exists, and this Act shall take effect and be in full force from and after its passage and approval.

APPROVED March 12, 1917.

SUPERINTENDENT OF PRINTING—TO CONDUCT BUSINESS TO
JULY 1, 1917.

§ 1. Appropriates \$65,000.00.

§ 3. How drawn.

§ 2. For what purposes appropriated.

§ 4. Emergency.

(HOUSE BILL NO. 653. APPROVED MAY 18, 1917.)

AN ACT to make an appropriation to the Superintendent of Printing to conduct business of the State to July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated, to the Superintendent of Printing, the sum of sixty-five thousand dollars (\$65,000.00) to conduct business of the State to July 1, 1917.

§ 2. The purposes of the appropriation hereby made are as follows:
For legislative paper, printing and binding..... \$40,000.00
For typewriter supplies, paper, printing, binding, stationery
and supplies for the various offices, departments and
divisions of the State Government..... \$25,000.00

Total \$65,000.00

§ 3. Upon presentation of vouchers, as required by law, the Auditor of Public Accounts is authorized to draw his warrants for the sum herein appropriated, or so much thereof as shall be necessary, upon the State Treasurer, and the State Treasurer is authorized to pay the same out of any funds in the State treasury not otherwise appropriated.

§ 4. WHEREAS, said sum of money is immediately required, therefore an emergency exists and this Act shall take effect from and after its passage.

APPROVED May 18, 1917.

SUPERINTENDENT OF PRINTING—DEFICIENCY.

§ 1. Appropriates \$140,000.00 for the
purposes enumerated.

§ 2. How drawn.

§ 3. Emergency.

(HOUSE BILL NO. 981. APPROVED JUNE 23, 1917.)

AN ACT making a further appropriation to the Superintendent of Printing to conduct the business of the State to July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appro-

priated to the Superintendent of Printing, the sum of one hundred and forty thousand dollars (\$140,000) in addition to appropriations heretofore made for printing, binding, printing paper, cover paper, other paper and stationery, to and including June 30, A. D., 1917.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants for the sum hereby appropriated, upon presentation of itemized vouchers certified to as correct by the Superintendent of Printing and approved by the Governor.

§ 3. WHEREAS the said sum of money is immediately required, therefore an emergency exists and this Act shall be in effect from and after its passage.

APPROVED June 25, 1917.

SUPREME COURT—INSTALLATION OF FILING CASES—BINDING AND PRESERVATION OF RECORDS.

§ 1. Appropriates \$10,000.00.

§ 2. How drawn.

(HOUSE BILL NO. 963. APPROVED JUNE 23, 1917.)

AN ACT making an appropriation for the use of the Supreme Court for the purchase and installation of steel filing cases and the binding and preservation of the records of said court.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and hereby is appropriated to the Supreme Court for the purpose of completing the purchase and installation of steel filing cases, and for completing the binding and preservation of records from the origin of the Supreme Court, the sum of \$10,000.

§ 2. Upon presentation to the Auditor of Public Accounts of proper vouchers certified by a majority of the Judges of the Supreme Court, said Auditor is authorized and directed to draw his warrants upon the State Treasurer in amounts not exceeding in the aggregate the sum herein appropriated, and the State Treasurer is authorized and directed to pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED June 23, 1917.

APPROPRIATION FOR UNIVERSITY OF ILLINOIS.

§ 1. The sum of \$4,800,000.00 appropriated for use and maintenance of University of Illinois—items.

§ 4. Vouchers to be certified by president and secretary.

§ 2. Definitions of terms used.

§ 5. Sums accrued under land grants of United States appropriated to University—vouchers.

§ 3. The sum of \$65,000.00 appropriated for interest on endowment fund.

(HOUSE BILL NO. 992. APPROVED JUNE 26, 1917.)

AN ACT making appropriations for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the University of Illinois for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjourn-

ment of the next General Assembly, the sum of four million, eight hundred thousand (\$4,800,000) dollars, payable only out of money paid into the State treasury and set apart as a fund for the use and maintenance of the University of Illinois, in accordance with an Act entitled: "An Act to provide by a State tax for a fund for the support and maintenance of the University of Illinois," approved June 10, 1911, in force July 1, 1911, payable as follows:

For salaries and wages.....	\$ 2,950,000.00
For departmental office expenses.....	\$ 100,000.00
For traveling expenses.....	\$ 50,000.00
For operating supplies and expenses.....	\$ 125,000.00
For school supplies.....	\$ 415,000.00
For repairs on present buildings, grounds and equipment.....	\$ 110,000.00
For equipment	\$ 300,000.00
For buildings	\$ 500,000.00
For reserve and contingencies.....	\$ 250,000.00

Total	\$ 4,800,000.00
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§ 2. The term "salaries and wages" as used in this Act, shall mean and include salaries, wages and other compensation for personal service.

The term "departmental office expense" as used in this Act, shall mean and include postage, telephone, telegraph, rent, office supplies, express, freight, drayage, printing and binding, for departments and institutions.

The term "traveling expenses" as used in this act shall mean and include railroad fares, hotel bills, livery hire, street car fares and similar personal expenses incurred wholly in the State service.

The term "operating supplies and expenses" as used in this Act shall mean and include fuel, food, wearing apparel, household supplies, plant and departmental supplies and institutional operating expenses.

The term "school supplies" as used in this Act, shall mean and include supplies used for distinctly educational purposes and not included in other classes.

The term "repairs on present buildings, grounds and equipment" as used in this Act shall mean and include replacements but not betterments. Such repairs may be under contract in whole or in part or may be by the direct use of labor, materials and service.

The term "equipment," as used in this Act, shall mean and include equipment of permanent value, including furniture, fixtures, machinery, scientific apparatus, livestock, vehicles, maps, books, educational equipment and recreational equipment.

The term "the completion of buildings now under construction," as used in this Act, shall mean and include expenditures for the construction of buildings, now partially completed, new fences, tunnels, sidewalks, drainage ditches, pavements, walls and other permanent improvements, either in whole or in part and including the designing of such structures and the supervision of construction. Such construction may be under contract, in whole or in part, or may be by the direct use of labor, materials and service.

§ 3. There is hereby appropriated to the University of Illinois for the two years beginning July 1, 1917, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, for the payment of interest on the endowment funds of the said university as provided by section 2 of the Act relating to said university, approved June 11, 1897, the sum of sixty-five thousand dollars (\$65,000) or so much thereof as may be necessary under the terms of said Act.

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer under sections 1, 2 and 3 of this Act, for amounts expended or bills then due from the sums appropriated in the said sections, payable severally to the persons named, upon the presentation of itemized vouchers therefor, certified to by the president and secretary of the board of trustees of the University of Illinois, with the corporate seal of the university attached thereto.

§ 5. The sum or sums of money which may have accrued or may hereafter before the first day of July 1919, accrue to the State of Illinois, under the provisions of an Act of Congress of the United States, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts," established under an Act of Congress, approved July 2, 1862; and the money granted by an Act of Congress approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," are hereby appropriated to the trustees of the University of Illinois, and whenever any portion of the said money shall be received by the State Treasurer it shall immediately be due and payable into the treasury of said board of trustees.

The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sums hereby appropriated, upon the order of the president of the board of trustees of said university, countersigned by its secretary and with the corporate seal of said university attached thereto.

APPROVED June 26, 1917.

ARBITRATION AND AWARDS.

REVISION OF ACT.

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| <p>§ 1. Submission of controversy to arbitrators—judgment upon award.</p> <p>§ 2. Arbitrators — appointment — place of hearing—rules.</p> <p>§ 3. Submission irrevocable.</p> <p>§ 4. Powers of arbitrators—fees of witnesses — court may compel attendance of witnesses.</p> <p>§ 5. Depositions.</p> <p>§ 6. Questions of law submitted to court — opinion binding — final award.</p> <p>§ 7. Award how drawn—what to contain.</p> <p>§ 8. Neglect to comply with award.</p> | <p>§ 9. Notice of intention to have judgment on award—successive judgments.</p> <p>§ 10. When award requires performance other than payment of money.</p> <p>§ 11. Legal defects when court may set aside award—fraud.</p> <p>§ 12. When court may correct award.</p> <p>§ 13. When motion to set aside or modify award must be made.</p> <p>§ 14. Writs of error and appeals.</p> <p>§ 15. Compensation—fees.</p> <p>§ 16. Arbitrators compelled to do duty.</p> <p>§ 17. Words construed.</p> <p>§ 18. Repeal.</p> |
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(HOUSE BILL No. 353. APPROVED JUNE 11, 1917.)

AN ACT to revise the law in relation to arbitrations and awards.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all persons having requisite legal capacity may by an instrument in writing to be signed by them submit to one or more arbitrators to be named in the manner indicated by such writing, any controversy existing between them, and may, in such submission agree that a judgment of any court competent to have jurisdiction of the subject matter of such instrument, shall be rendered upon the award made pursuant to such submission.

§ 2. The parties to such submission may by such submission designate the number of such arbitrators, which number may be one or more as the parties shall agree; the manner in which they may be appointed in the first instance and vacancies caused by the refusal[,] incapacity or death of an appointee filled; the time and place of the hearing and the rules for the hearing of such controversy, not in conflict with the provisions of this Act; the parties to such submission may include by reference in said written submission the published rules of any organization or association which rules shall thereby become a part of the contract of submission.

§ 3. A submission to arbitration shall, unless a contrary intention is expressed therein, be irrevocable.

§ 4. Said arbitrators or any of them shall have the power to administer oaths, subpoena and examine witnesses[,] to issue subpoenas *duces tecum* requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry and to examine and inspect the same; service of such subpoena shall be made by any sheriff or constable or other person; the fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of the State; any court of this State, having jurisdiction of the subject matter of the submission or any judge thereof

upon the application of such arbitrators or any of them, either in term time or vacation may compel attendance of witnesses, the production of books and papers and giving of testimony before said arbitrators by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before said court.

§ 5. The said arbitrators may authorize the taking of depositions without a commission in the same manner as may be provided by law for the taking of depositions in suits pending in courts of record of this State.

§ 6. The arbitrators may, of their own motion and shall by request of a party

(a) At any stage of the proceedings submit any question of law arising in the course of the reference for the opinion of the court stating the facts upon which the question arises and such opinion when given shall bind the arbitrators in the making of their award

(b) State their final award as to the whole or a part of the reference in the form of a conclusion of fact for the opinion of the court on the questions of law arising and such opinion shall finally conclude the proceeding, except as by this Act otherwise provided.

§ 7. The award of the arbitrators, or a majority of them, shall be drawn up in writing and signed by the arbitrators or a majority of them; the award shall definitely deal with all matters of difference in the submission requiring settlement, but the arbitrators may, in their discretion, make a partial award or awards, which shall be enforceable in the same manner as the final award; upon the making of such award, the arbitrators shall deliver a true copy thereof to each of the parties thereto without delay.

§ 8. If either of the parties neglect to comply with any partial or final award, made by the arbitrators, the other party may, at any time within one year from the time of such failure, file such award, together with the submission in court.

§ 9. The party filing such award may, by giving ten days' notice of his intention to the opposite party, and if no legal exceptions are taken to such award, have judgment thereon, as on the verdict of a jury; upon any legal exceptions taken, the findings of fact by the arbitrators shall be conclusive; successive judgments in the same case may be entered on successive awards of the arbitrators on the subject matter of the submission together with the costs of arbitration and the court, and execution may issue as in other cases.

§ 10. When the award requires the performance of any act other than the payment of money, the court rendering such judgment shall enforce the same by rule, and the party refusing or neglecting to comply with such rule may be proceeded against by attachment or otherwise as for a contempt.

§ 11. If any legal defects shall appear in the award or other proceedings, or if it shall appear that the award is not sustainable under the opinions of the court upon questions of law under section 6 of this Act, the court may set aside such award, or remit the matters contained in the said award to the reconsideration of the said arbitrators; or, if it

shall appear, on oath or affirmation that said award was obtained by fraud, corruption or other undue means, or that such arbitrators misbehaved, said court may set aside such award.

§ 12. If there be any evident miscalculation or misdescription, or if the arbitrators shall appear to have awarded upon matters not submitted to them, not affecting the merits of the decision upon the matters submitted, or where the award shall be imperfect in some matters of form, not affecting the merits of the controversy, and where such errors and defects, if in a verdict, could have been lawfully amended or disregarded by the court, any party aggrieved may move the court to modify or correct such award.

§ 13. Applications to set aside, modify or amend or remit such award, as provided in the sections 11 and 12 of this Act, must be made before the entry of final judgment on such award: *Provided*, nothing herein contained shall be so construed as to deprive courts of chancery of their jurisdiction, as in other cases.

§ 14. Writs of error and appeals may be taken from any decision of the court upon questions of law under section 6 of this Act, or matters arising in the the course of the proceedings, by the party feeling himself aggrieved, as in other cases; and if the case shall be upon such writ of error or appeal remanded, such further proceedings shall be had as the nature of the case may require.

§ 15. The parties may, in the submission, agree upon the amount of compensation to be paid to the arbitrators and the terms of the payment of the same; unless so agreed, each arbitrator shall be allowed, for every day's attendance to the business of his appointment \$3.00, to be paid in the first instance by the party in whose favor the award shall be made, but to be recovered of the other party with the other costs of suit, if the award or final decision shall entitle the prevailing party to recover costs. Sheriffs, constables, the bailiff of the Municipal Court of Chicago, clerks and justices of the peace shall be entitled to the same fees for services performed in relation to any arbitration, as shall be allowed by law for the like services in their respective courts.

§ 16. Arbitrators may be compelled, by order of the court to proceed to a hearing of the submission and to make report without unnecessary delay.

§ 17. In this Act unless the context or subject matter otherwise requires, "Court" means the court named in the submission, and if no court be named, any court having jurisdiction of the subject matter, to which application is made or proceedings had on a submission.

"Submission" means a written agreement to submit differences to arbitration, whether such differences be in whole or in part in suit or not in suit.

§ 18. REPEAL.] An Act to revise the law in relation to arbitrations and awards, approved April 29, 1873, in force July 1, 1873, except as herein re-enacted, is hereby repealed, but this section shall not be construed so as to affect any right, actions or causes of action that may have accrued or be pending when this Act shall take effect.

APPROVED June 11, 1917.

ATTORNEYS AND COUNSELORS.

UNLICENSED PERSONS NOT TO RECEIVE COMPENSATION FOR
LEGAL SERVICES.

§ 1. Amends section 1, Act of 1874.

§ 1. As amended provides no person other than a regularly licensed attorney shall receive compensation for legal services in settlement of estates—penalty.

(HOUSE BILL NO. 470. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to attorneys and counsellors*," approved March 28, 1874, in force July 1, 1874 as subsequently amended, by amending section 1 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to attorneys and counsellors*," approved March 28, 1874, in force July 1, 1874, as subsequently amended, be and is hereby amended by amending section 1 thereof to read as follows:

§ 1. No person shall be permitted to practice as an attorney or counsellor at law, or to commence, conduct or defend any action, suit or plaint, in which he is not a party concerned, in any County or Probate Court, or in any court of record, within this State, either by using or subscribing his own name or the name of any other person without having previously obtained a license for that purpose from some two of the justices of the Supreme Court.

And no person shall receive any pay or compensation for any legal service, for making settlements, annual or final, filing petitions or other documents, in any estate, other than a regularly licensed attorney; and no Probate Court shall allow or permit any pay or fee for any such services to any person to be taxed in any estate, other than to a regularly licensed attorney, either directly or indirectly, for any purpose; nor shall any administrator, or executor or guardian employ, for the performance of legal work for any estate, or pay any person for performing legal work, other than a regularly licensed attorney.

A license, as provided for herein, shall constitute the person receiving the same, an attorney and counsellor at law, and shall authorize him to appear in all of the courts within this State and there to practice as an attorney and counsellor at law, according to the laws and customs thereof, for and during his good behavior in said practice and to demand and receive fees for any services which he may render as an attorney and counsellor at law in this State. No person shall be refused a license under this Act on account of sex.

Any person whomsoever, practicing, charging or receiving fees for legal services in the County, Probate or other Court of Record in this State, without being licensed to practice as herein required, except as provided herein, shall be guilty of a misdemeanor and, upon a conviction, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) or by imprisonment in the county jail not to exceed thirty (30) days, or by both such fine and imprisonment.

APPROVED June 11, 1917.

BANKS.

AMENDMENTS OF 1917.

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| <p>§ 1. Amends sections 2, 4, 7, 8, 10, 11 and 12, and section 15½.</p> <p>§ 2. Permit to organize.</p> <p>§ 4. Organization of directors—oath—duties—annual meetings—vacancies—owning stock—regular meetings.</p> <p>§ 7. Report to Auditor—penalty.</p> <p>§ 8. Examination of affairs of bank—compensation of examiner.</p> <p>§ 10. Total liabilities for money borrowed—limitation—loan made in violation of Act—remedy—penalty for violating Act—loan to officers of bank.</p> | <p>§ 11. Capital stock in certain places—impairment of—proceedings to make good or wind up.</p> <p>§ 12. Change of name, etc.—proceedings, etc.</p> <p>§ 3. Act to be further amended.</p> <p>§ 15½. No person or partnership after January 1, 1921, to engage in a banking business or the business of transmitting money—penalties.</p> <p>§ 4. Act submitted to vote of people for ratification.</p> |
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(SENATE BILL NO. 469. APPROVED JUNE 22, 1917.)
(Known as the Buck-Austin Bill.)

AN ACT to amend the title of "An Act concerning corporations with banking powers," approved June 16, 1887, submitted to a vote of the people at the November election, 1888, and adopted, so that said title shall read, "An Act concerning banks and banking" and to amend sections 2, 4, 7, 8, 10, 11 and 12 of said Act and to add to said Act after section 15 of said Act a new section to be known as section 15½, prohibiting all natural persons, firms or partnerships from transacting the business of banking, or receiving money on deposit, and from transacting certain other operations frequently transacted by banking corporations, and from using the term bank or banker.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the title of an Act entitled, "An Act concerning corporations with banking powers," approved June 16, 1887, submitted to a vote of the people at the November election, 1888, and adopted, as subsequently amended be amended to read as follows: "An Act concerning banks and banking."

That sections 2, 4, 7, 8, 10, 11 and 12 of said Act be respectively amended to read as hereinafter in this section set forth.

§ 2. When any association of persons, not less than three, desire to avail themselves of the provisions of this Act, they shall apply to the Auditor for permission to organize, stating their place of business, the amount of capital and name under which they desire to organize, and the time for which such association shall continue, which statement shall be under their hands and seals, and acknowledged before some officer authorized by law to acknowledge deeds; and the Auditor shall issue to them a permit to organize, but no permit shall be issued hereunder to any corporation by the same name as any other corporation then operating under the laws of this State or of any law of the United States or of any person, firm or partnership then conducting a banking business, or

by a name so similar to the name of any other corporation then operating under the laws of this State, or of any law of the United States or of any person, firm, partnership or corporation then conducting a banking business as in the opinion of the Auditor of Public Accounts will create confusion, provided that a permit may be issued hereunder to a corporation by a name the same as or similar to the name of any person, firm or partnership then conducting a banking business, by and with the written consent of such person, firm or partnership of the same or similar name, such name of such proposed corporation not being the same or similar to the name of any banking corporation then operating under the laws of this State or of the United States, and all associations formed under this Act shall have their capital stock divided into shares of one hundred dollars (\$100) each.

§ 4. The directors so elected may proceed to organize by the election of one of their number as president, and may appoint the necessary officers and employees and fix their salaries to carry on the business of the bank or association and make by-laws (not inconsistent with this Act) for the government of the bank or association; and each director shall take and subscribe to an oath such as the Auditor shall prescribe of fealty to the bank or association of which he is director and that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such bank or association and will not knowingly violate or willingly permit to be violated any of the provisions of this Act; and that he is the owner in good faith and in his own right of the number of shares of stock required by this Act; and that same is not hypothecated or in any way pledged as security for any loan or debt. Such oath subscribed by the director making it and certified by a proper officer authorized to administer oaths shall be immediately transmitted to the Auditor and shall be filed and preserved by him in his office. The directors shall cause to be kept suitable books of record of all the transactions of the bank or association and shall furnish to the Auditor lists of the stockholders and copies of any other records the Auditor may require. And there shall be an annual meeting of the stockholders for the election of directors each year on the first Monday in January unless some other date shall be fixed by the by-laws of the association. Any omission to elect directors shall not impair any of the rights and privileges of the association or of any person in any way interested, but the existing directors shall hold office until their successors are elected and qualified as in such cases may be by law provided. Vacancies may be filled by a two-thirds vote of the remaining directors.

Every director of any bank or association organized under the provisions of this Act must own in his own right, free of any lien or incumbrance at least ten shares of the capital stock of such bank or association of which he is a director, and stock certificates for not less than ten shares shall be filed unendorsed and unassigned with the cashier of the bank during his term as a director. Any director who ceases to be the owner of ten shares of the capital stock of such bank or association, or who becomes in any form disqualified shall therefor vacate his place as such director. The directors of any bank or association organized under the provisions of this Act shall hold regular meetings at least once each

month and there shall be present a quorum as may be prescribed by the by-laws of such bank or association approved by the Auditor of Public Accounts.

Any officer, director or employee of any bank or association organized under the provisions of this Act, who shall wilfully and knowingly subscribe to or make or cause to be made any false statement with intent to deceive any person or persons authorized to examine into the affairs of such bank or association, upon conviction thereof, shall be punished by imprisonment of not less than one year or more than ten years.

§ 7. Any and all persons and associations organizing under the provisions of this Act shall make to the Auditor a report according to the form which may be prescribed by him, verified by oath or affirmation of the president or cashier of such association, which report shall exhibit in detail and under appropriate heads the resources and liabilities of such bank or association at the close of business of any day he may choose; and he shall call for such reports at least once every three months of each year, and the officers of said banks shall transmit the same to the Auditor within five days after receiving call for the same; and any bank failing to make and transmit such report, or to comply with any provisions of this Act, shall be subject to a penalty of one hundred dollars for each day after five days that such report is delayed beyond that time. And he shall cause such report to be published at the expense of such bank in some newspaper published in the city or town where such bank is located; or if no newspaper is published in such town, then in the nearest newspaper to such town. Every such quarterly report shall be accompanied with a fee of five dollars to defray the expense of examining the same and preparing it for publication.

§ 8. The Auditor, as often as he shall deem necessary or proper, and at least once in each year, shall appoint a suitable person or persons to make an examination of the affairs of every bank established under the provisions of this Act, which person shall not be a stockholder or officer or employee of any bank which he may be directed to examine, and who shall have power to make a thorough examination into all the affairs of the bank, and in so doing to examine any of the officers or agents, or employees thereof on oath, and shall make a full and detailed report of the condition of the bank to the Auditor; and the bank shall not be subject to any other visitatorial power than such as may be authorized by this Act, except such as are vested in the several courts of law and chancery. And there shall be paid to the Auditor of Public Accounts for each such examination, a minimum fee of twenty-five dollars (\$25.00) and two cents (2c) additional for each one thousand dollars (\$1.000) of the total assets of the bank examined.

§ 10. The total liabilities to any association, of any person or of any corporation or firm for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed fifteen per cent of the amount of the capital stock of such association actually paid in and unimpaired, and fifteen per cent of its unimpaired surplus fund: *Provided, however,* that the total liabilities of any such person, company or firm shall at no time exceed thirty per cent of the amount of capital actually paid in: *And, provided,*

further, that undivided profits shall not be construed as a part of the surplus. But (1) the discount of bills of exchange drawn in good faith against actually existing values; (2) the discount of commercial or business paper actually owned by the person negotiating the same; (3) the purchase of or loaning money in exchange for, evidences of indebtedness which shall be secured by mortgage or trust deed upon productive real estate, the value of which, exclusive of buildings, as ascertained by the oath of two disinterested appraisers, is double the amount of the principal debt secured, and which mortgage or trust deed is ascertained by a guaranty policy of a title guaranty company approved by the Auditor of Public Accounts, or by a registrar's certificate of title in any county having adopted the provisions of the Land Titles Act, or by the opinion of a reputable attorney at law to be a first lien upon the real estate therein described; and (4) the purchase of, or loaning money in exchange for, evidences of indebtedness secured by a written pledge covering live stock, the president, vice president or cashier of such bank or association certifying at the time of such purchase or loan that the value of such live stock is double the principal debt secured, shall not be considered as money borrowed within the meaning of this section.

In computing the total liabilities of any person, corporation or firm for the purposes of this section, there shall not be included any liabilities of such person, corporation or firm which shall be secured by collateral approved as sufficient security therefor by the Auditor of Public Accounts, and deposited with him, or which shall be secured by a good and sufficient bond conditioned to indemnify and save harmless such bank from loss or damage on account of failure to pay such loan on maturity, filed with and approved by the Auditor of Public Accounts.

And, provided, further, that if any bank or association existing hereunder shall cause to be deposited with the Auditor of Public Accounts a good and sufficient bond, or shall cause to be deposited with him securities approved by him (such securities not being assets of said bank or association), the Auditor of Public Accounts may issue to such bank or association a permit, granting permission to such bank or association, within the period of one year from the date of said permit, to carry, without liability against the officers and directors of such bank or association, on account of such loans being excessive, loans otherwise excessive under the provisions hereof, to an aggregate amount equal to the amount of such bond, or to the value of such securities as determined by the Auditor of Public Accounts. Such bond shall run to the Auditor of Public Accounts for the use of said bank or association, its creditors and stockholders, and shall undertake to indemnify and save harmless said bank or association, its stockholders and creditors, against loss on account of loans carried under the permit issued by the Auditor of Public Accounts in pursuance of the filing of such bond; and such securities shall be deposited under a like contract running to the Auditor of Public Accounts for the use of said bank or association, its creditors and stockholders, undertaking that such securities shall be held to indemnify and save harmless said bank or association, its stockholders and creditors, against loss on account of loans carried under the permit issued by the

Auditor of Public Accounts in pursuance of the deposit of said securities with the Auditor: *Provided, further*, that if in the opinion of the Auditor of Public Accounts, such bond or such securities shall become impaired in value, the Auditor of Public Accounts may revoke such permit unless such bank or association shall file with the Auditor of Public Accounts such additional bond or such additional securities as will, in the opinion of the Auditor of Public Accounts, fully indemnify such bank or association, its stockholders and creditors, against loss by reason of loans made under such permit.

And, provided, also, that the total liabilities of any such person, firm or corporation for money borrowed under the provisions of this section shall not exceed twenty-five per cent of the deposits of any such bank or association, and also that such total liabilities shall at no time exceed the amount of the capital stock of such bank or association.

Every such loan made in violation of the provisions hereof shall be due and payable according to its terms and the remedy for the recovery of any money loaned in violation of the provisions hereof or for the enforcement of any agreement collateral or otherwise made in connection with any such loan shall not be held to be impaired, affected or prohibited by reason of such violation, but such remedy shall exist notwithstanding the same. But every director of any such association who shall violate, or participate in, or assent to such violation, or who shall permit any of the officers; agents or servants of the association to violate the provisions hereof, shall be held liable in his personal and individual capacity for all damages which the association, its shareholders or any other person shall have sustained in consequence of such violation.

It shall not be lawful for any bank to loan to its president, or to any of its vice presidents or its salaried officers or employees, or to corporations or firms controlled by them, or in the management of which any of them are actively engaged, until an application for such loan shall have been first approved, both as to security and amount, by the board of directors.

§ 11. Banks or banking associations may be organized under the provisions of this Act at any place in this State. If not within any city, town or incorporated village, with a minimum capital stock of ten thousand dollars (\$10,000); if within a city, town or incorporated village, the capital stock shall be according to the population of such city, town or village, as determined by reference to the last preceding United States census, as follows:

(a) In all cities, towns and villages of not exceeding fifteen hundred (1,500) inhabitants, with a minimum capital stock of fifteen thousand dollars (\$15,000).

(b) In all cities, towns and villages of over fifteen hundred (1,500) inhabitants and not exceeding five thousand (5,000) inhabitants, with a minimum capital stock of twenty-five thousand dollars (\$25,000).

(c) In all cities, towns and villages of over five thousand (5,000) inhabitants and not exceeding ten thousand (10,000) inhabitants, with a minimum capital stock of fifty thousand dollars (\$50,000).

(d) In all cities, towns and villages of over ten thousand (10,000) inhabitants and not exceeding fifty thousand (50,000) inhabitants, with a minimum capital stock of one hundred thousand dollars (\$100,000).

(e) In all cities, towns and villages of over ten thousand (10,000) inhabitants and not exceeding fifty thousand (50,000) inhabitants, with a minimum capital stock of fifty thousand dollars (\$50,000); but a bank so incorporated in a city, town or village of over ten thousand (10,000) inhabitants and not exceeding fifty thousand (50,000) inhabitants, with a capital stock of less than one hundred thousand dollars (\$100,000), shall not accept deposits in excess of five hundred thousand dollars (\$500,000), so long as its capital stock is less than one hundred thousand dollars (\$100,000). Such bank may at any time increase its capital stock to not less than one hundred thousand dollars (\$100,000), and if the Auditor shall find the deposits in excess of the limitation contained herein, he shall order such bank to increase its capital stock to at least one hundred thousand dollars (\$100,000), within ninety days from the date of such order.

If any such bank shall fail so to increase its capital stock within said time, the Auditor of Public Accounts shall revoke and cancel the permit and authority of such bank to carry on such banking business, and shall file a duly certified copy of such revocation and cancellation at the office for the recording of deeds in the county where such bank has conducted such business, and upon the recording of said revocation, said bank shall cease to receive deposits and shall proceed to dispose of its assets and wind up its affairs within one year from the date of such revocation, and at the end of said year the authority of said bank to conduct any business under the provisions of this Act shall cease and determine.

(f) In all cities, towns and villages of more than fifty thousand (50,000) inhabitants, with a minimum capital stock of one hundred thousand dollars (\$100,000); but a bank so incorporated in a city, town or village of more than fifty thousand (50,000) inhabitants, with a capital stock of less than two hundred thousand dollars (\$200,000), shall not accept deposits in excess of one million dollars (\$1,000,000), so long as its capital stock is less than two hundred thousand dollars (\$200,000).

Such bank may at any time increase its capital stock to not less than two hundred thousand dollars (\$200,000), and if the Auditor shall find the deposits in excess of the limitation contained herein, he shall order such bank to increase its capital stock to at least two hundred thousand dollars (\$200,000) within ninety days from the date of such order.

If any such bank shall fail so to increase its capital stock within said time, the Auditor of Public Accounts shall revoke and cancel the permit and authority of such bank to carry on such banking business, and shall file a duly certified copy of such revocation and cancellation at the office for the recording of deeds in the county where such bank has conducted such business, and upon the recording of said revocation, said bank shall cease to receive deposits and shall proceed to dispose of its assets and wind up its affairs within one year from the date of such

revocation, and at the end of said year the authority of said bank to conduct any business under the provisions of this Act shall cease and determine.

Should the capital stock of any bank organized under this Act become impaired, the Auditor shall give notice to the president to have the impairment made good by assessment of the stockholders or a reduction of the capital stock of such bank, if the reduction should not bring the capital below the provisions of this section; and if the capital stock of said bank shall remain impaired for thirty days after notice by the Auditor, he shall have power, and it is hereby made his duty, to enter suit against each stockholder in the name of the People of the State of Illinois, for the use of said bank, for his or her pro rata proportion of such impairment, and when collected shall pay over the amount thereof to said bank, and the judgment in such case shall be for the amount claimed with all costs and reasonable attorney's fees, which fees shall be fixed by the court, or, if it [if] appears from the reports made to the Auditor under this Act, or from any examination made by or on behalf of the Auditor that the conditions of any bank organized under this Act are such that the impairment of the capital stock cannot be made good, or that the business of any such bank is being conducted in an illegal, fraudulent or unsafe manner, he may, in his discretion, without having taken the steps provided in this section to make good the impaired capital stock, forthwith appoint a receiver, and require of him such bond and security as he deems proper. Such receiver, under the direction of the Auditor, shall take possession of the books, records and assets of every description of such bank, collect all debts, dues and claims belonging to it, and upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like order, may sell all the real and personal property of such bank, on such terms as the court shall direct; and may, if necessary to pay the debts of such bank, enforce the individual liability of the stockholders.

The Auditor of Public Accounts shall, upon appointing a receiver, cause notice to be given, by advertisement in such newspapers as he may direct, for three consecutive months, calling on all persons who may have claims against such bank to present the same, and to make legal proof thereof.

From time to time the Auditor of Public Accounts shall make a ratable dividend of the moneys collected by such receiver on all such claims as may have been proved to his satisfaction or adjudicated in a court of competent jurisdiction, and, as the proceeds of the assets of such bank are collected, shall make further dividends on all claims previously proved or adjudicated; and the remainder of the proceeds, if any, shall be paid over to the shareholders of such bank, or their legal representatives, in proportion to the stock by them respectively held.

Whenever any such bank against which proceedings have been instituted, or for which a receiver has been appointed as aforesaid, on account of any alleged impairment of its capital stock or alleged conduct of its business in an illegal, fraudulent or unsafe manner, denies such grounds, it may, at any time within ten days, apply to the Circuit Court of Sanga-

mon County, Illinois, to enjoin further proceedings in the premises; and such court, after citing the Auditor of Public Accounts to show cause why further proceedings should not be enjoined, and after the decision of the court or finding of a jury that such grounds do not exist, shall make an order enjoining the Auditor, and any receiver acting under his direction, from all further proceedings on account of such alleged grounds.

All expenses of any preliminary or other examinations into the condition of any such bank shall be paid by such bank. All expenses of any such receivership, including reasonable receiver's, solicitor's and attorney's fees to be approved by the Auditor of Public Accounts, shall be paid out of the assets of such bank.

No bill shall be filed nor proceedings commenced in any court for the dissolution or for the winding up of the affairs or for the appointment of a receiver for any such banking corporation on the grounds of insolvency or impairment of the capital stock of such banking corporation or upon the ground that such bank is being conducted in an illegal, fraudulent or unsafe manner, except in the name and by the authority of the Auditor of Public Accounts, represented by the Attorney General.

At any time, whenever a majority in number and amount of the creditors of any such bank or association, after any such receiver shall have been appointed, shall petition the Auditor of Public Accounts for the appointment of any person nominated by them as receiver, who is a reputable person and elector of the county in which such bank or association is located, it shall be the duty of the Auditor to make such appointment, and all the rights and duties of his predecessor shall at once devolve upon such appointee.

§ 12. Whenever the board of directors, managers or trustees of any corporation having any banking powers existing by virtue of any general or special law of this State, or any corporation with banking powers hereafter organized under the provisions of this Act, may desire to change the name, to change the place of business, to increase or decrease the capital stock, to extend the duration of its charter, to increase or decrease the number of directors, managers or trustees, or to consolidate such corporation with any other corporation having banking powers which may hereafter exist, they may call a special meeting of the stockholders of such corporation for the purpose of submitting to a vote of such stockholders the question of such change of name, change of place of business, increase or decrease of number of directors, managers or trustees, increase or decrease of capital stock, extension of duration of its charter, or consolidation with some other corporation, as the case may be: *Provided*, that in changing the name of any corporation under the provisions hereof, no name shall be assumed or adopted by any corporation organized under the laws of this State without the consent of such other corporation, and that in no case shall the capital stock be diminished to the prejudice of the creditors of such corporation, or the number of directors, managers or trustees be reduced to less than three or increased to more than twenty-one.

Such special meeting shall be called by delivering personally, or by depositing in the postoffice at least thirty days before the time fixed for such meeting, a notice properly addressed to each stockholder, signed by a majority of said directors, managers or trustees, stating the time, place and object of such meeting. A general notice of the time, place and object of such meeting shall also be published for three successive weeks in some newspaper printed in or nearest to the county in which the principal business office of said corporation is located. At any such meeting stockholders may vote in person or by proxy, each stockholder being entitled to one vote for each share of stock held by him, and votes representing two-thirds of all the stock of the corporation shall be necessary for the adoption of the proposed change of name, place of business, number of directors, managers or trustees, amount of capital stock, extension of duration of charter, or consolidation with some other company. At any regular meeting, or at the time and place specified in said notice of a special meeting called for that purpose, said propositions, or any of them, may be submitted to a vote, and if it shall appear that two-thirds of all the votes represented by the whole stock of such corporation are in favor of the propositions or any of them, so submitted, a certificate thereof, verified by the affidavit of the president, and under seal of the corporation, shall be filed in the office of the Auditor, and a like certificate filed for record in the office of the recorder of deeds of the county where the principal business office of such corporation is located; and upon the filing of such certificate the changes proposed and voted for at such meeting, as to name, place of business, increase or decrease of capital stock, or number of directors, managers or trustees, extension of duration of charter, or consolidation with some other company, shall be and is hereby declared accomplished, in accordance with the said vote of the stockholders: *And, provided, further,* that any corporation with banking powers availing itself of or accepting the benefits of, or formed under, this Act, and all corporations with banking powers existing by virtue of any special charter or general law of this State, shall be subject to the provisions and requirements of this Act in every particular, as if organized under this Act.

Such corporation shall, upon the filing of said certificate, cause to be published in some newspaper in or nearest the county in which their principal office is located, a notice of such changes of organization for three successive weeks.

Such change of name, place of business, increase or decrease of capital stock, increase or decrease of number of directors, managers or trustees, extension of duration of charter, or consolidation of one corporation with another, shall not affect suits pending in which such corporations or corporation shall be parties; nor shall such changes affect causes of action, nor the rights of persons in any particular; nor shall suits brought against such corporation by its former name be abated for that cause.

SECTION 3. That said Act be further amended by adding after section 15 of said Act a new section to read as follows:

"§ 15½. After January 1, 1921, no natural person or natural persons, firm or partnership shall transact the business of banking or the business of receiving money upon deposit, or shall use the word "Bank" or "Banker" in connection with said business or shall transact the business of transmitting money to foreign countries or buying and selling foreign money or receiving money on deposit to be transmitted to foreign countries provided that express, steamship and telegraph companies may continue their business of transmitting money and receiving money to be transmitted, *and provided, further*, that nothing herein contained shall be construed to prohibit banks incorporated under the laws of this State or of the United States from appointing natural persons as agents to receive deposits of savings in and through the public schools. Any person or persons violating this section shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment, and the Attorney General or State's Attorney of the county in which any such violation occurs may restrain such violation by a bill in equity to be filed in the Circuit Court of such county."

§ 4. It shall be the duty of the Secretary of State for this State to submit these amendments to the Bank Act to a vote of the people for their ratification, according to Article XI, section 5 of the Constitution of this State, at the next general election, and the question shall be "for the amendments to the General Banking Law," or "Against the amendments to the General Banking Law." And if approved by a majority of the votes cast at such election for or against such amendments, the Governor shall thereupon issue his proclamation that these amendments are then in force.

APPROVED June 22, 1917.

BONDS.

PENALTIES FOR FALSE STATEMENTS RELATIVE TO SURETIES ON BAIL BONDS.

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| <p>§ 1. Person making false statement on oath relative to property of proposed surety on bail, bond or recognizance, guilty of perjury—subornation of perjury.</p> | <p>§ 2. Act to prevent the making of false schedules — approved June 21, 1895, hereby repealed.</p> |
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(SENATE BILL NO. 464. APPROVED JUNE 21, 1917.)

AN ACT to make it a criminal offense to make or suborn the making of false schedules under oath or affirmation or to testify falsely as to the qualifications of sureties on bail bonds and recognizances, to provide a punishment therefor and to repeal a certain Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person who in any affidavit, document, schedule or other application to become surety or bail for another on any bail bond or recognizance in any civil or criminal proceeding then pending or about to be started against such other

person, having taken a lawful oath or made affirmation, shall swear or affirm wilfully, corruptly and falsely as to the ownership or liens or incumbrances upon or the value of any real or personal property alleged to be owned by the person proposed as surety or bail, the financial worth or standing of such person proposed as surety or bail, or as to the number or total penalties of all other bonds or recognizances signed by and standing against said proposed surety or bail, or any person who, having taken a lawful oath or made affirmation, shall testify wilfully, corruptly and falsely as to any of said matters for the purpose of inducing the approval of any such bail bond or recognizance; or for the purpose of justifying on any such bail bond or recognizance, or who shall suborn any other person to so swear, affirm or testify as aforesaid, shall be deemed and adjudged guilty of perjury or subornation of perjury (as the case may be) and punished accordingly.

§ 2. That "An Act to prevent the making of false schedules for the purpose of justifying as bondsmen in civil and criminal cases," approved June 21, 1895, in force July 1, 1895, be and the same is hereby repealed.

APPROVED June 21, 1917.

CANADA THISTLES.

CANADA THISTLES.

§ 1. Amends sections 1, 2, 3 and 6, Act of 1872.

§ 3. Land owners to destroy—penalty.

§ 1. Commissioner of Canada Thistles.

§ 6. Report of commissioner.

§ 2. Duties of commissioner.

(HOUSE BILL NO. 371. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act concerning Canada thistles*," approved and in force March 15, 1872, by amending sections 1, 2, 3 and 6 of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act concerning Canada thistles*," approved and in force March 15, 1872, as subsequently amended, be and the same is hereby amended by amending sections 1, 2, 3 and 6 of said Act so that said sections, when amended, shall read as follows:

§ 1. That there may be appointed by the board of town auditors, in counties under township organization, and by the county commissioners in counties not under township organization, for each township or road district, and by the city council of any city or by the president and trustees of any town or village, as the case may be, some competent person to be styled "*Commissioner of Canada Thistles*," who shall take the oath required of township, road district, city or village officers, as the case may be, and shall hold his office for the term of two years and until his successor is appointed and qualified, and he shall receive for his compensation, the sum of three dollars a day for each full day necessarily spent in the performance of his duty, to be verified by

affidavit. The body so appointing may, at any time, for good cause, remove such commissioner from office and appoint his successor to serve the remaining portion of his time.

§ 2. The commissioner of Canada thistles shall diligently inquire concerning the introduction and existence of Canada thistles in his township, road district, city, village or town, and if any are found growing therein, he shall take charge of all such growing in the high-ways and on unenclosed lands and take care that they do not go to seed or otherwise spread, and he shall carefully seek and learn, so far as practicable, the best methods of their destruction, and he shall persistently apply in proper time such remedy or treatment as shall be best calculated to prevent their spread and to eradicate the same.

§ 3. It shall be the duty of all owners of enclosed lands on which Canada thistles are found growing, to destroy the same in such manner as shall prevent the same from bearing seed or from otherwise perpetuating themselves. The commissioner shall advise the owner, agent or occupant of such land on their treatment. In case any such owner, agent or occupant shall refuse or neglect to destroy such thistles, it shall be the duty of the commissioner to enter upon such lands and to destroy such thistles or cause the same to be destroyed. Express power to so enter upon such lands and destroy such thistles is hereby conferred upon such commissioner. Any expense incurred in such destruction, shall be paid by the owner or owners of such lands, and the commissioner shall have a lien against such lands for such expense, which lien shall be enforced in the manner now provided by law for the enforcement of mechanics' liens. Any owner who shall refuse or neglect to destroy such thistles, as provided for in this section, shall be subject to a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

§ 6. The commissioner shall, annually, before the first day of November, make a written report to the supervisor of the town, or to the county commissioners, as the case may be, which report shall be filed with the town clerk, or, in counties not under township organization, with the county clerk. The report made to the supervisor shall be publicly read at the annual town meeting. Said report shall state:

First: Whether there are or not any Canada thistles growing in the town or precinct.

Second: If any are growing, where and how many, and when and how introduced.

Third: A detailed statement of his treatment of each infected tract, with cost and result.

Fourth: He shall report such other matters as may be required of him by the board of town auditors, or by the county commissioners.

Fifth: He shall state his views on their further treatment, and make such suggestions and recommendations as he may deem proper and useful.

And he shall also forward a copy of said report to the secretary of the State Board of Agriculture, who shall collate and report the same to the Governor on or before the first day of December of each year.

The secretary of the State Board of Agriculture shall have general supervision of all measures adopted for the extermination of such thistles. He shall cooperate with all local Canada thistle commissioners, shall furnish blank forms for reports to all such commissioners and shall do all things authorized by law necessary and expedient to promote the extermination of such Canada thistles.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CENTENNIAL COMMISSION.

CENTENNIAL CELEBRATION—ILLINOIS CENTENNIAL COMMISSION.

§ 1. Amends section 2, Act of 1916.

§ 2. Duties of commission.

(HOUSE BILL No. 679. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled: "*An Act to create the Illinois Centennial Commission, and to define its powers and duties,*" approved January twenty-first, 1916.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in General Assembly:* That an Act entitled, "*An Act to create the Illinois Centennial Commission, and to define its powers and duties,*" approved January twenty-first, 1916, be amended by amending section 2 thereof so that said section when amended shall read as follows:

§ 2. It shall be the duty of the Illinois Centennial Commission:

1. To arrange for and conduct a celebration in honor of the centennial of the admission of the State of Illinois to the Federal Union.

2. To compile and publish a commemorative history of the State of Illinois, to-wit: After the first edition of said commemorative history has been published and distributed as provided by an Act entitled, "*An Act making an appropriation for the Illinois Centennial Commission,*" approved January twenty-first, 1916, it shall be lawful for the said Illinois Centennial Commission to provide for the publication of a special edition of said commemorative history, and in so doing said Illinois Centennial Commission may use or loan such plates, type, cuts, illustrations, printed and printing material, editorial and historical data it may now or hereafter own, purchase or which it may now or hereafter have in its possession or control, and the said Illinois Centennial Commission may for the purpose of dissemination and general distribution of the said commemorative history among the citizens of the United States authorize a reputable publisher or publishers of its election to publish and distribute said special edition, provided, however, that the said Illinois Centennial Commission shall incur no indebtedness on the part of the State of Illinois.

After the publication of the first edition of said commemorative history has been completed, the said Illinois Centennial Commission, in authorizing the publication of a special edition for general circula-

tion among the citizens of the United States, shall not be subject to the provisions of an Act entitled, "An Act to revise the law in relation to State contracts," approved June twenty-second, 1915.

3. To make a complete report to the Fifty-first General Assembly.
APPROVED June 25, 1917.

CEMETERIES.

ORGANIZATION AND CONTROL OF CEMETERY ASSOCIATION.

§ 1. Amends sections 5, 10 and 11, Act of 1903.

§ 5. Right to acquire land and received endowments.

§ 10. Report of trustee — misappropriation of funds.

§ 11. Removal of trustee for misconduct—penalty.

(HOUSE BILL NO. 599. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903, as subsequently amended, by amending sections 5, 10 and 11 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the organization, ownership, management and control of cemetery associations," approved May 14, 1903, in force July 1, 1903, as subsequently amended, be and is hereby amended by amending sections 5, 10 and 11 thereof to read as follows:

§ 5. Any such cemetery association, when so organized, shall have the right and the same is expressly given to such association to acquire the necessary amount of land for the use of said cemetery association which said land may be acquired by purchase or by gift and said association is hereby authorized to receive by gift, devise, or bequest any property, either real, personal or mixed, which may be donated to such association and to hold and keep inviolate any such property for the uses of said cemetery association; and any such cemetery association may receive and administer endowments for the care of such cemetery or any part thereof.

§ 10. The said board of trustees shall, once in every year, and oftener if required by the court, make full and complete report of the money and other property received by said association and of all endowments being administered by such association and of the expenses of said association and of the loans of money existing at the time of the making of such report, to the county judge of the county in which said association is located, and if said report is found by said county judge to be true and correct, he shall approve the same and direct the clerk of the County Court to record the same in the records of said court. But if the said county judge shall disapprove of said report he shall order said board of trustees to make true and correct report, and upon a failure of said board of trustees to make true and correct report or to properly account for any and all money which may have come into their hands for the use of said association, then said county judge, by his written order, shall direct the State's Attorney in and for said county

to institute suit in any court of competent jurisdiction against said trustees, or such of them as are responsible for any misappropriation or wrongful use of said funds, in the name of the People of the State of Illinois, for the use of said association, to recover from such trustees, so responsible for such misappropriation or wrongful use of said money of said association, the amount of money so misappropriated or wrongfully used, and it is hereby made the duty of such State's Attorney, when so directed by said County Court, to institute and prosecute such suit to final judgment.

§ 11. For misconduct in office any of said trustees of said cemetery association may be removed from office by order of the county judge of the county in which said association is situated and any trustee of such an association who shall convert any funds of such association to his own use, or to a use other than that intended, shall be guilty of embezzlement and punished accordingly.

APPROVED June 25, 1917.

CHARITIES.

AID TO MOTHERS AND CHILDREN.

1. Amends section 11, Act of 1913.

§ 11. As amended, provides mothers who are entitled to a homestead under the Exemption Laws of this State or to a dower right in real estate of the value of not more than \$1,000 shall not be denied relief under this Act.

(HOUSE BILL NO. 537. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and also, to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, (title as amended by Act approved June 28, 1915), as subsequently amended, by amending section 11 thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity when such mothers have children under fourteen years of age, and are residents of the county in which application for relief is made; and also, to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913 (title as amended by Act approved June 28, 1915), as subsequently amended, be and the same is

hereby amended by amending section 11 thereof to read as inserted at length herein.

§ 11. Such relief shall be granted by the court only upon the following conditions:

(1) The child or children for whose benefit the relief is granted must be living with the mother of such child or children; (2) the court must find that it is for the welfare of such child or children to remain at home with the mother; (3) the relief shall be granted only when in the absence of such relief the mother would be required to work regularly away from her home and children, or when in the absence of such relief it would be necessary to commit such child or children to a dependent institution and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week to be specified in the court's order, when such work can be done by her without the sacrifice of health or the neglect of home and children; (4) such mother must, in the judgment of the court, be a proper person, physically, mentally and morally fit, to have the care and custody of her children; (5) the relief granted shall, in the judgment of the court, be necessary to save the child or children from neglect; (6) a mother shall not receive such relief who is the owner of real property or personal property other than the household goods, but no mother who shall be the holder of, or entitled to, a homestead under the exemption laws of this State, or who is the holder of, or entitled to a dower right in real estate, provided the fair cash market value of said real estate is not more than one thousand (\$1,000) dollars, shall be denied relief under the provisions of this Act; (7) a mother shall not receive such relief who has not resided in the county where the application is made at least three years next before making such application; (8) a mother shall not receive such relief if her child or children has or have relatives of sufficient ability, and who shall be obligated by the finding and judgment of the court by competent jurisdiction, to support them.

APPROVED June 11, 1917.

AID TO MOTHERS AND CHILDREN—PROBATIONARY, VISITATION, ETC.

§ 1. Amends section 2, Act of 1913.

§ 2. Application for relief.

(HOUSE BILL NO. 794. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity, when such mothers have children under fourteen years of age and are residents of the county in which application for relief is made, and also to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, as subsequently amended, by amending section 2 thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to

provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity, when such mothers have children under fourteen years of age and are residents of the county in which application for relief is made, and also to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, in force July 1, 1913, as subsequently amended, be and the same is hereby amended by amending section two (2) thereof to read as follows:

§ 2. A woman whose husband is dead and was a resident of the State of Illinois at the time of his death, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity, and become so incapacitated while a resident of this State may file an application for relief under this Act, provided such woman has a previous residence for three years in the county where such application is made and is the mother of a child or children.

APPROVED June 26, 1917.

ALTON STATE HOSPITAL—PLANS.

§ 1. Amends sections 3, Act of 1911.

§ 3. As amended, provides plans shall be prepared for buildings necessary to accommodate five thousand inmates.

(HOUSE BILL NO. 121. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled: "*An Act providing for the locating, constructing and completing of a State hospital for the insane, and providing for the creation thereof*," approved June 7, 1911, in force July 1, 1911, by amending section three (3) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act providing for the locating, constructing and completing of a State hospital for the insane, and providing for the creation thereof*," approved June 7, 1911, in force July 1, 1911, be, and the same is hereby amended, by amending section three (3) thereof, so that the said section, when amended, shall read as follows:

§ 3. After the acquisition of the site and lands provided for in section two (2) of this Act, the Board of Administration shall cause to be prepared by the State Architect and his consulting engineer, a plan for the erection of all buildings necessary for the care and comfort of not to exceed five thousand (5,000) inmates, together with suitable quarters for a superintendent, officers and employees; that all of the buildings provided for in this Act, shall be of the most approved type of fire-proof construction, plain, durable and free from unnecessary ornamentation; that the plan shall provide all necessary heating, lighting, power, ventilating, water supply and drainage appliances, and all other necessary things to insure an institution adequate for the purposes intended and sanitary in all respects.

APPROVED June 11, 1917.

SOLDIERS AND SAILORS—BURIAL OF DECEASED, INDIGENT, ETC.

§ 1. Amends sections 2, Act of 1907.

§ 2. Expense—burial—funeral.

(HOUSE BILL NO. 721. FILED JUNE 27, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the burial of deceased, indigent or friendless soldiers, sailors or marines of the late Civil War, the Spanish-American War, the Philippine insurrection and the Boxer uprising in China, or their mothers, wives or widows,*" approved May 24, 1907, in force July 1, 1907, as subsequently amended, by amending the title thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the burial of deceased, indigent or friendless soldiers, sailors or marines of the late Civil War, the Spanish-American war, the Philippine insurrection and the Boxer uprising in China, or their mothers, wives or widows,*" approved May 24, 1907, in force July 1, 1907, as subsequently amended, be and the same is hereby amended by amending the title thereof to read as follows:

An Act to provide for the burial of deceased soldiers, sailors or marines of the late Civil War, the Spanish-American War, the Philippine insurrection and the Boxer uprising in China, or their mothers, wives or widows.

§ 2. The expense of such burial shall not exceed the sum of seventy-five dollars; such burial shall not be made in any cemetery or burial ground used exclusively for the burial of the pauper dead, or in that portion of any burial ground so used; *and, provided,* that in case relatives of the deceased, who are unable to bear the expense of burial, desire to conduct the funeral, they may be allowed to do so, and the expense thereof shall be paid as hereinafter provided.

FILED June 27, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-seventh day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

STATE FARM FOR BOYS ABOVE AGE OF 16-YEARS.

§ 1. Institution authorized to be established.

§ 5. Selection and purchase of site — topography of site.

§ 2. What offenders to be committed—transportation charges.

§ 6. Plans for buildings and improvements.

§ 3. Management.

§ 7. Labor used in construction of buildings.

§ 4. Rules and regulations.

§ 8. Purpose of farm.

(SENATE BILL NO. 273. APPROVED JUNE 14, 1917.)

AN ACT to create a State farm.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an institution for the correction of male offenders, above the age of sixteen (16) years, whose offense is punishable by confinement in the county jail or workhouse, or house of correction, to be known as the Illinois State Farm, is hereby

authorized to be established at such place as shall be selected by the Department of Public Welfare.

§ 2. Such farm shall receive and provide proper work and care for all such male offenders above the age of sixteen (16) years, other than those sentenced or committed for the violation of municipal ordinances, whose sentence shall consist of confinement in any county jail or workhouse or house of correction for sixty (60) days or more, as may be committed to such farm. In all cases in which a court is now or hereafter may be authorized by law to sentence such male offenders, or commit such offenders to work out fine and costs, to a county jail or workhouse, such court is hereby authorized in its discretion to commit or sentence to the Illinois State Farm. The transportation charges for conveying any such offenders to said farm shall be paid by the city or county from which such offenders are committed.

§ 3. The management and control of such farm shall be vested in said Department, which is hereby charged with the duty to carry out the purposes of this Act with all possible expedition.

§ 4. Said Department shall establish all rules and regulations necessary for the management of such farm.

§ 5. Said Department shall select and purchase or lease a site for such farm, which site shall consist of not less than five hundred (500) acres of land in a body. In such selection the objects and purposes of such farm shall be kept in view, uninfluenced by any offer of land or other donations or inducements. Such site shall as near as may be, offer the following natural advantages: It shall be of varied topography with natural resources and advantages for varied forms of husbandry, fruit-growing and stock-raising, for brick-making and for the preparation of road and paving material, and shall have good railroad connections, drainage, sewerage and water.

§ 6. Said Department shall cause plans for specifications for the necessary buildings and improvements on such farm to be prepared. Such buildings and improvements shall be plain but substantial in their character, shall be designed for the purposes for which they are intended, and shall be constructed and maintained, so far as possible, by the labor of the persons committed to such farm.

§ 7. In the construction of such buildings and the making of such improvements, said Department shall be authorized to utilize the labor of such inmates of the Illinois State Penitentiary at Joliet, the Southern Illinois Penitentiary, and the Illinois State Reformatory, as may be deemed expedient by said Department.

§ 8. It shall be the purpose of such farm to employ all prisoners committed thereto, in work on or about the buildings and farm in growing products and supplies for its own use and for the use of the other institutions of the State, in preparation of road material and in making brick, tile, paving material and such other products as may be found practicable for the use of the State or any municipal subdivision thereof, and for the proper and healthful employment of such prisoners.

APPROVED June 14, 1917.

CITIES AND VILLAGES.

AUTHORIZING ISSUE OF BONDS—REFERENDUM.

§ 1. Amends section 2, Act of 1909.

§ 2. Seperate ballot—form.

(HOUSE BILL NO. 801. APPROVED JUNE 25, 1917.)

AN ACT to amend section 2 of an Act entitled, "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, in force July 1, 1909.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 2 of an Act entitled, "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, in force July 1, 1909, be and the same is hereby amended so as to read as follows:

§ 2. A statement of the substance of such ordinance in the manner hereinafter provided shall be printed on a ballot, which shall be separate and distinct from the ballot, for candidates for office, stating the amount of the bond issue provided for in such ordinance and the purpose or purposes for which such bonds or obligations are to be issued; but it shall not be necessary to print in full such ordinance on the ballot.

The ballot to be used at any such election in voting under this Act shall be substantially in the following form:

Shall bonds or obligations for the purpose of (state purpose) in the sums of \$.00 be issued by the city council (or village or town, as the case may be).	Yes	
	No	

APPROVED June 25, 1917.

CITIES AND VILLAGES AUTHORIZED TO SELL UNUSEFUL PROPERTY.

§ 1. City or village may authorize sale of real estate by vote of three-fourths of city council or of village trustees.

§ 3. Conveyance.

§ 2. Ordinance to be published—bids to be opened only at regular meeting—authority to accept or reject bids.

§ 4. City or village may by ordinance authorize sale of personal property with or without advertisement—utilization of personal property.

§ 5. Act of March 22, 1889, repealed.

(HOUSE BILL NO. 774. APPROVED JUNE 27, 1917.)

AN ACT to authorize any city or village to sell real estate or its right and title therein, and to sell, convert or otherwise dispose of personal property belonging to it, when such real or personal property shall no longer be necessary or useful to, or its longer retention be for the best interests of, such city or village, and to repeal an Act named therein.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That any city or village incorpo-

rated under any general or special law of this State, which shall have acquired or hold any real estate for any purpose whatsoever, is hereby authorized and empowered by ordinance passed by three-fourths of the members of the city council of any such city, or of the board of trustees of any such village, at any regular meeting or at any special meeting called for such purpose, to sell such property when the same shall, in the opinion of such majority of such city council or board of trustees, be no longer necessary, appropriate or required for the use of such city or village, or profitable to, or its longer retention be for the best interests of, such city or village.

§ 2. Such ordinance shall specify the location of such real estate, and the use thereof, and before any sale shall be made under or by virtue of any such ordinance, by the city council of any such city, or the board of trustees of any such village, such ordinance and proposal to sell shall be published in one of its daily or weekly papers for a period of not less than sixty days, and if no paper be published in such city or village, then it shall be published in some paper of general circulation in this State nearest to such city or village. Such notice shall contain an accurate description of such property, the purpose for which it is used, and at what meeting the bids will be considered and opened, and shall advertise for sixty days for bids therefor. All such bids shall be opened only at a regular meeting of such city council or board of trustees, and shall be accepted only upon a vote of three fourths of the members of such city council or board of trustees: *Provided, however,* that the city council or board of trustees may, by a majority vote, reject any and all bids.

§ 3. Upon any bid having been accepted, and the purchase price duly paid or secured, the mayor and city clerk, or the president of the board of trustees and the clerk of such board, shall have the power to convey such real estate and transfer the same to such party or parties whose bids have been accepted, by proper deed or deeds of conveyance, stating therein the price therefor, with the seal of the corporation.

§ 4. Whenever any city or village incorporated under any general or special law of this State shall own any personal property which, in the opinion of three-fourths of the members of the city council of any such city or of the board of trustees of any such village, shall be no longer necessary or useful to, or its longer retention be for the best interests of such city or village, such majority of such city council or board of trustees may, at any regular meeting or at any special meeting called for such purpose, by ordinance authorize the sale of such personal property in such manner as it may designate, with or without advertising the same, or such majority of such city council or board of trustees may at such meeting authorize any of its officers to convert such personal property into some other form that is useful to such city or village by using the material in same, or such majority of such city council or board of trustees may at such meeting authorize any of its officers to convey or turn in any article or articles of such personal property as part payment on a new purchase of any similar article or articles: *Provided, however,* that no article shall be turned in as part of the

purchase price on any purchase except when competitive bids have been received in such manner as may be prescribed by ordinance after notice to all bidders that such article will be turned over as part of the purchase price.

§ 5. That an Act entitled, "An Act to authorize cities and villages to convey any real or personal estate, or their right and title therein, when the same shall be no longer necessary for, or profitable to, or its longer retention be for the best interests of such city or village," approved March 22, 1889, in force July 1, 1889, be and the same is hereby repealed.

APPROVED June 27, 1917.

CERTAIN LANDS GRANTED TO CITY OF CHICAGO.

§ 1. Certain described lands granted to city of Chicago for street purposes.

(HOUSE BILL No. 666. APPROVED JUNE 27, 1917.)

"AN ACT granting all interest and title of the State of Illinois in certain lands to the city of Chicago, for street purposes."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all right, title and interest of the State of Illinois in and to the land described as follows be, and the same are hereby, granted and conveyed to the city of Chicago, to be held for street purposes, that is to say:

The strip of land thirty-three (33) feet wide, lying south of and adjoining the south lines of sections eleven (11) and twelve (12) and extending from the westerly United States meander line of Lake Calumet to the easterly shore line of said lake; all in township thirty-seven (37) north, range fourteen (14) east of the third (3rd) principal meridian, north of Indiana boundary line.

APPROVED June 27, 1917.

COMMISSION FORM OF GOVERNMENT—ABANDONMENT.

§ 1. Amends section 49 of Article XIII,
Act of 1872.

§ 49. Abandonment of organi-
zation—Petition.

(HOUSE BILL No. 755. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 12, 1872, in force July 1, 1872, as subsequently amended, by amending section forty nine (49) of Article XIII (thirteen) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 12, 1872, in force July 1, 1872, as subsequently amended, be, and the same is hereby amended by amending section forty nine (49) of Article XIII (thirteen) to read as follows:

§ 49. Any city or village which shall have operated for more than two years under the provisions of this Act, may abandon such organization hereunder and accept the provisions of the general law of the State then applicable to cities and villages, by proceeding as follows:

Upon the petition of not less than twenty five (25) per cent of the electors of such city filed with the city clerk, the city council shall submit to the electors of such city or village, or the election commissioners in cities, towns and villages which have adopted the city election law, at a special municipal election to be held within sixty (60) days after the filing of said petition with the city clerk, or the election commissioners in cities or villages which have adopted the city election law, the following proposition to-wit: ["Shall the city of.....(or village) abandon its organization under the commission form of municipal government and become a city (or village) under the general law?" *Provided*, that such proposition shall not be submitted oftener than once in two years. If a majority of the votes cast at such election be in favor of such proposition, the officers elected at the next succeeding annual city or village election shall be those then prescribed by the Act to which this Act is an amendment and upon the qualifications of such officers such municipality shall become a city (or village), but such change shall not in any manner or degree affect the property rights or liabilities of any nature of such municipality, but shall merely extend to such change in its form of government. The first set of alderman [aldermen] or board of trustees so elected shall be the same number as provided for in such municipality at the time of its adoption of this Act, with the same ward and precinct boundaries and shall have the same elective officers as before. If the election for city and village officers after the proposition to abandon its organization under the commission form of municipal government and to become a city (or village) under the general law shall have carried at such election, shall be held in an even numbered year, the persons elected to the offices of mayor, village president, city clerk and such other two-year offices, as the law or ordinances shall provide for in any such city or village, shall hold their offices for the term of one year and at the next annual election the persons elected to the offices of mayor, or village president, city clerk and such other two-year offices as the laws or ordinances shall provide for any such city or village, shall hold their offices for the term of two years. One-half of the alderman [aldermen] elected in cities at said election shall hold their office for the term of one year and the other one-half for the term of two years. The alderman [aldermen] elected in each ward shall by lots determine which alderman shall serve for two years and which for one year.

The petition contemplated by this section shall be the same, the election ordered and conducted and the results declared generally as provided for in section 42 of this Act, insofar as the provisions thereof may be applicable.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CITIES OF CERTAIN CLASSES TO PROVIDE FOR PUBLIC EXHIBITIONS,
CONCERTS, ETC.

§ 1. Power of city council to contract for exhibitions, concerts, entertainments, etc.

(SENATE BILL NO. 267. FILED JUNE 26, 1917.)

AN ACT entitled, "*An Act to enable cities of over five hundred thousand (500,000) inhabitants to provide for and conduct public exhibitions, concerts, entertainments and celebrations, and to provide for the payment of the cost and expense of the same.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city council of all cities of over five hundred thousand (500,000) inhabitants shall have power and authority to order and direct that any city official may provide for or enter into any contract with any person or persons, firms or corporations, for the purpose of arranging for the holding or giving of any general public exhibitions, concerts, dances, entertainments or celebrations, or on any pier owned or controlled by said city extending out into any lake or harbor adjacent to said city, and to provide for the payment of any expense necessarily incurred in the contracting for holding or giving of the same out of the miscellaneous receipts of such city not otherwise appropriated for.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

ELECTION OF OFFICERS—WHERE CONTESTS OF MAYOR AND
COMMISSIONERS PROSECUTED.

§ 1. Amends section 18, of Article XIII,
Act of 1872.

§ 18. As amended, provides contests of election of mayor and commissioners shall be had in the County or Circuit Court, and that the council shall not be the judge of the election of its own members.

(HOUSE BILL NO. 120. APPROVED JUNE 11, 1917.)

AN ACT to amend section eighteen (18) of article thirteen (XIII) of an Act entitled: "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section eighteen (18) of article thirteen (XIII) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, be, and the same is hereby amended, by amending section eighteen (18) of article thirteen (XIII) thereof, so that the said section, when amended, shall read as follows:

"§ 18. ["Any candidate whose name appears upon the primary ballot at any primary election held under this Act may contest the elec-

tion of the candidate or candidates nominated upon the face of the returns, which contest and the mode of procedure therein shall be as follows:

(a) Authority and jurisdiction are hereby vested in the County Court or in the judge thereof in vacation, or in the Circuit Court or in the judge or judges thereof in vacation, to hear and determine primary contests. Where a petition to contest a primary shall be filed in the office of the clerk of the court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the day presented, and shall also note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter, and shall order issuance of summons to each defendant named in the petition.

(b) Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. The case may be heard and determined by the County or Circuit Court in term time, or by the judge or judges thereof in vacation, at any time not less than three days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for costs.

(c) If, in the opinion of the court, or the judge thereof, in which the petition is filed, the grounds for contest alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots, and make such orders and enter such judgments as justice may require. The court shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper court, the result of such election in the city or village for which the contest is made. The judgment or decree of the trial court shall be final. A certified copy of such decree shall forthwith be made by the clerk of the court and transmitted to the city or village clerk or clerk of the board of election commissioners, as the case may be, at least three days before election, who shall in such case be governed accordingly.

(d) If the candidate nominated at such primary should die or withdraw before the general municipal election, the vacancy caused thereby shall be filled by the placing of the name of the candidate, if for the office of mayor, receiving the third highest number of votes, and if for the office of commissioner, the candidate receiving the ninth highest number of votes at such primary, and so on in case of the death or withdrawal of more than one candidate.

(e) All general and special municipal elections in said city or village shall be held, conducted and contested under the election law in force in such city or village, except that the contest of the election of mayor and commissioners shall be had, prosecuted and conducted in the County or Circuit Court. The council hereunder shall not be the judge of the election and qualification of its members."

APPROVED June 11, 1917.

FIREMEN'S PENSION FUND.

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| <p>§ 1. Fund to be created from tax levy, license fees, and fines for pensioning disabled and superannuated firemen—persons entitled to benefits.</p> <p>§ 2. Membership of board of trustees—elections—officers.</p> <p>§ 3. Powers of board—assessments—records.</p> <p>§ 4. All gratuities, all fines imposed upon firemen, and moneys realized from assets now held, to be turned into fund.</p> <p>§ 5. Retirement of disabled firemen—monthly compensation—reinstatement in active service.</p> <p>§ 6. Death in service or after 20 years in service—compensation to dependents—insufficient funds—limitations on payments.</p> | <p>§ 7. Retirement on account of age—compensation.</p> <p>§ 8. Beneficiaries under Act of May 13, 1887 to come under this Act.</p> <p>§ 9. Treasurer—records—bond.</p> <p>§ 10. Duty of proper municipal officer to draw warrants upon request of board, payable to treasurer of board for all funds now belonging to pension fund.</p> <p>§ 11. Authorization and authentication of warrants—interest upon funds.</p> <p>§ 12. Board to report to council annually.</p> <p>§ 13. Payments under this Act exempt from seizure or attachment under legal process.</p> |
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(HOUSE BILL NO. 647. FILED JUNE 28, 1917.)

AN ACT to revise the law creating a firemen's pension fund in cities, villages and incorporated towns with a population of not less than five thousand and not more than two hundred thousand inhabitants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cities, villages and incorporated towns whose population exceeds five thousand and not more than two hundred thousand inhabitants, having a paid fire department, the city council or the board of trustees, as the case may be, shall levy a tax beginning with the year 1917, and for a period of two years thereafter of three-tenths (3-10) of one mill on the dollar on all the taxable property of such city, village or incorporated town. Such tax to be levied and collected in like manner with general taxes of such city, village or incorporated town, which said tax shall be in addition to all other taxes which such city, village or incorporated town is now or may hereafter be authorized to levy upon the aggregate valuation of all property within such city, village or incorporated town and the county clerk in reducing tax levies under the provisions of section two of an Act entitled: "An Act to amend section 2 of an Act entitled: "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by the Act approved June 14, 1909, in force July 1, 1909, as subsequently amended shall not consider the tax herein authorized as a part of the general taxes levied for such city, village or incorporated town purposes and shall not include the same in the limitation of three per cent of the assessed valuation upon which taxes are authorized to be levied:

Provided, in cities, villages and incorporated towns, the city council or the boards of trustees in cities, villages and incorporated towns may dispense with the levy of such tax in case the pension fund, over and above the reserve fund, is sufficient to meet all demands of those requiring payment from the pension fund.

All moneys derived from the taxes so levied and one per centum of all revenues collected by such cities, villages and incorporated towns, authorizing persons or corporations to engage in any business, occupation or profession, excepting that of public utilities, also all fines imposed for the violation of fire ordinances, the enforcement or collection of which may be charged to, and be under the supervision of the chief officer or subordinate officers of such fire department in any such city, village or incorporated town, shall be set apart by the treasurer of such cities, villages or incorporated towns, to whom the same shall be paid, as a fund for the pensioning of disabled and superannuated firemen in such cities, villages and incorporated towns:

Provided, that the word or term "fireman" or "firemen" as used in this Act, shall include all persons, who at the time this Act becomes effective are entitled to the benefits of an Act entitled, "An Act to create a board of trustees of the Firemen's Pension Fund; to provide and distribute such fund for the pensioning of disabled firemen and the widows and minor children of deceased firemen; to authorize the retirement from service and pensioning of members of the fire department; and for the purposes connected therewith, in cities, villages and incorporated towns whose population exceeds fifty thousand (50,000) inhabitants, having a paid fire department," approved May 13, 1887, and in force July 1, 1887, as subsequently amended, and in cities which have adopted an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all persons who have been or shall be hereafter appointed to any position which is classified by the civil service commission of such city, in the fire service of such city, and in cities, villages and incorporated towns, which have not adopted said Civil Service Act and all persons appointed to any position in the fire department, with the limitations contained in this Act, shall also be included and entitled to the benefits of this Act.

§ 2. The treasurer, clerk, marshal or chief officer of the fire department and the comptroller of such city, village or incorporated town and three other persons who shall be chosen from the active firemen of such city, village or incorporated town and one other person who shall be chosen from the firemen who have been duly retired under this Act shall constitute and be a board by the name of the "Board of Trustees of the Firemen's Pension Fund." The members of this board to be chosen from the active firemen shall be elected by ballot at a biannual election at which election all active firemen of said city, village or incorporated town, shall be entitled to vote:

Provided, that in any city, village or incorporated town where there is no comptroller appointed or elected, that the mayor of such city, village or incorporated town shall be a member of such board and the members of said board to be chosen from among the firemen who have been duly retired or pensioned, as aforesaid, shall be elected by ballot at a biannual election, at which last mentioned election all retired firemen shall be entitled to vote.

The election or elections in this section provided for shall be held biannually on the third Monday in April under the Australian ballot system, at such place or places, in such city, village or incorporated town,

under such regulations as shall be prescribed by the members of this board:

Provided, however, that no person entitled to vote under the provisions of this section shall cast more than one vote at any such election. In the event of the failure, resignation, or inability to act of any member of said board elected under the provisions of this section, the successor to such member shall be elected at a special election which shall be called by said board and shall be conducted in the same manner as the biannual election hereunder. The said board shall elect from their number a president and secretary, *provided*, that in villages or incorporated towns, the board of trustees of the Firemen's Pension Fund shall consist of the president of the board of trustees, the town clerk, the town or village attorney, the chief officer of the fire department and three other persons who shall be chosen biannually from among the active firemen. The three members of said board to be chosen from the active firemen of said village or incorporated town and the member of said board to be chosen from the retired firemen shall be elected in the manner provided for in this section for the election of such member in cities.

§ 3. The said board shall have exclusive control and management of the fund mentioned in the first section of this Act, and of all money donated, paid, assessed or provided by law for the relief or pensioning of disabled, superannuated and retired firemen, their widows, minor children and dependent parents, and shall assess each fireman, not to exceed one (1) per centum of the salary of such fireman, to be deducted and withheld from the monthly pay of each fireman so assessed, the same together with all interest accrued or accruing thereon, to be placed by the treasurer of such city, village or incorporated town, who shall be *ex officio* treasurer of such board, to the credit of such fund, subject to the order of such board.

The said board shall make all needful rules and regulations for its government in the discharge of its duties, and shall hear and decide all applications for relief or pensions under this Act, and its decisions on such applications shall be final and conclusive, and not subject to review or reversal except by the board. The board shall have the power to provide for the payment from said fund of all moneys which may be necessary for the expenses of the board.

The board shall cause to be kept a record of all its meetings and proceedings.

§ 4. All rewards in moneys, fee's, [fees,] gifts and emoluments that may be paid or given for or on account of extraordinary services by the fire department, or any member thereof (except when allowed to be retained by competitive award), and all moneys raised under section 1 of this Act, shall be paid into said pension fund.

The said board of trustees may take by gift, grant, devise or bequest, any money, real estate, personal property or other valuable thing; and such money, real estate, personal property, right of property or other valuable thing so obtained, and also all fines and penalties imposed upon firemen, shall be paid into the pension fund, and all moneys raised under section one of this Act, shall in like manner be paid into

said pension fund, and treated as part thereof for the uses of such pension fund.

The board of trustees created under this Act, shall have power to take and may sell or dispose of in any manner that the said board, in its judgment, deems proper, any or all assets of any kind which are in its possession or under the control of the board of trustees of the Firemen's Pension Fund, existing at the time of the passage of this Act and all moneys and funds realized from the sale of such assets together with all other money or funds received or taken over shall become a part of the fund herein created for the purposes of payment of pensions, under the provisions of this Act; *Provided*, when twenty-five thousand dollars (\$25,000) shall be received and accumulated in cities, villages and incorporated towns having a population of twenty-five thousand inhabitants or over and less than two hundred thousand inhabitants; and when fifteen thousand dollars (\$15,000) shall be received and accumulated in cities, villages and incorporated towns having a population exceeding five thousand (5,000) inhabitants and less than twenty-five thousand (25,000) inhabitants, such sums respectively, shall, in each case be retained as a permanent fund, and any excess thereof, in each such case, shall be available for the uses and purposes of such pension fund.

§ 5. If any fireman of any city, village or incorporated town of more than five thousand inhabitants and less than two hundred thousand inhabitants, while in the performance of his duty, become and be found, upon examination by a medical officer, ordered by said board of trustees to be physically or mentally permanently disabled, by reason of service in such fire department, so as to render necessary his retirement from service in said fire department, said board of trustees shall retire such disabled member from services in such fire department; *Provided*, no such retirement on account of such disability shall occur unless said member has contracted said disability while in the service of such fire department.

When any fireman is retired as in this section provided, the said board of trustees shall order the payment to such disabled fireman, monthly from said pension fund, a sum equal to one-half of the monthly compensation paid to such fireman as salary, at the date of such retirement.

If, however, after placing a fireman on the pension roll, satisfactory proof is made to the pension board that such retired fireman has recovered from such physical or mental disability, the board shall order that his pension cease and the fireman shall report back to the marshal or the chief of the fire department of such city, village or incorporated town, who shall thereupon order the reinstatement in active service, in the same rank or grade which such fireman held at the time of his retirement.

§ 6. Any member of the fire department who shall, while in the service of such fire department, in any city, village or incorporated town of more than five thousand inhabitants and less than two hundred thousand inhabitants, be killed or die as the result of injuries received, while in such service or of any disease contracted by reason of such occupation; or if any member of such fire department shall, while in such service, die from any cause while in said service after a service of

twenty years or during retirement after twenty year's [years'] service, as hereinafter provided; or if any fireman of any city, village or incorporated town of two hundred thousand inhabitants or over, shall die from any cause while in the fire service, or during retirement after twenty year's [years'] service as hereinafter provided, and any such fireman shall leave a widow, minor natural child or children under sixteen years of age, or dependent father or mother surviving, said board of trustees shall direct payment from such pension fund of the following sums monthly, to-wit:

To such widow while unmarried forty-five dollars (\$45.00), to the guardian of any such child or children eight dollars (\$8.00) for each of said children until it or they reach the age of sixteen years of age: *Provided, however,* that no pension shall be allowed to the widow of such deceased fireman, or to the children of such widow who has married such fireman subsequent to the date of his retirement with the pension under the provision of this Act. Where the wife of such deceased fireman shall have died prior or subsequent to the death of such fireman, leaving a minor child or children begotten by such fireman, the board shall pay to the duly appointed guardian of such child or children, for their support and maintenance until it or they shall reach the age of sixteen years the sum of fifteen dollars (\$15.00) per month to each.

If the deceased fireman shall leave no widow, or natural child or children surviving him, but shall leave a dependent natural father or mother, then said board of trustees shall direct the payment from said pension fund to such dependent father or mother, the sum of twenty-five dollars (\$25.00) each monthly: *Provided,* that it shall be proved that the deceased fireman at the time of his death was the sole and only support of such parent or parents.

If at any time there shall not be sufficient money in such pension fund available to pay each person entitled to the benefits thereof, the full amount per month, as herein provided, then and in that event, an equal percentage of such monthly payments shall be paid to each beneficiary thereof until the said fund shall be replenished to warrant the payment in full to each of the beneficiaries: *Provided, however,* that there shall not be paid to any family or dependents of such deceased member, a total pension exceeding one-half of the amount of the annual salary of such deceased fireman at the time of his decease; or if a retired member, a sum not exceeding one-half of the amount of the annual salary of such retired member at the date of his retirement.

If at any time there shall not be sufficient money in such pension fund to pay the persons entitled to the benefits thereof the full amount provided in this Act, then and in that event, an equal percentage of such monthly payments shall be made to each beneficiary thereof until said fund shall be replenished to warrant payment in full to each beneficiary thereof.

§ 7. Any fireman of any such city, village or incorporated town, after having served twenty years or more as a fireman, of which the last two years shall be continuous, may make application to be retired from active service, or if, after having served twenty years, as aforesaid,

he shall be discharged from such fire service, the said board of trustees shall order and direct that such fireman shall be paid a monthly pension equal to one-half the amount of salary attached to the rank which he may have held in such fire service at the date of his retirement or discharge; and the said board upon the recommendation of the fire marshal or the chief officer of the fire department, shall have the power to assign such fireman so retired to the performance of light duties in such fire service in case of extraordinary emergencies.

After the decease of such fireman, his widow, minor natural child or children, under sixteen years of age, his dependent natural parent or parents, if any surviving him, shall be entitled to the pension provided for in this Act, but nothing in this or any other section of this Act shall warrant the payment of any annuity to any widow of a deceased fireman after she shall have remarried.

In case any fireman should die leaving no beneficiary or beneficiaries, the board of trustees of said pension fund shall pay the sum of two hundred dollars (\$200) for the burial of such deceased fireman.

§ 8. The widow, orphans and dependent parents of deceased fireman, [firemen] and all retired fireman [firemen] who are now entitled to pension or annuity under the provisions of an Act entitled, "An Act to create a board of trustees of the firemen's pension fund; to provide and distribute such fund for the pensioning of disabled firemen and the widows and minor children of deceased firemen; to authorize the retirement from service and pensioning of members of the fire department, and for other purposes connected therewith, in cities, villages or incorporated towns, whose population exceeds fifty thousand (50,000) inhabitants, having a paid fire department," approved May 13, 1887, in force July 1, 1887, as subsequently amended, shall be entitled to the benefits, pensions and annuities provided for by this Act: Provided, such persons shall thereupon cease to receive pensions, relief or benefits under said Act approved May 13, 1887, in force July 1, 1887, as subsequently amended.

§ 9. The treasurer of the board shall be the custodian of said pension fund and shall secure and safely keep the same, subject to the control and direction of the board; and shall keep his books and accounts concerning said fund in such a manner as may be prescribed by the board; and the said books and accounts shall always be subject to the inspection of the board or any member thereof.

The treasurer shall, within ten days after his election or appointment, execute a bond to the city, village or incorporated town, with good and sufficient securities, in such penal sum as the board shall direct, to be approved by the board, conditioned for the faithful performance of the duties of his office, and that he will safely keep and well and truly account for all moneys and property which may come into his hands as such treasurer; and that on the expiration of his term of office he will surrender and deliver over to his successor all unexpended moneys and all property which may have come to his hands as treasurer of such fund.

Such bond shall be filed in the office of the clerk of such city, village or incorporated town, and in case of a breach of the same, or

the conditions thereof, suit may be brought on the same in the name of such city, village or incorporated town for the use of said board, or of any person or persons injured by such breach.

§ 10. It shall be the duty of the mayor or the president of the board of trustees and clerk, or the comptroller, if there be one, and the officer or officers of such city, village or incorporated town who are or may be authorized by law to draw warrants upon the treasurer of such city, village or incorporated town, upon request made in writing by said board, to draw warrants upon the treasurer of such city, village or incorporated town, payable to the treasurer of said board for all funds in the hands of the treasurer of such city, village or incorporated town belonging to said pension fund.

§ 11. All moneys ordered to be paid from said pension fund to any person or persons shall be paid by the treasurer of said board only upon warrants signed by the president of the board and countersigned by the secretary thereof; and no warrant shall be drawn except by order of the board duly entered in the records of the proceedings of the board.

In case the said pension fund or any part thereof shall, by order of said board or otherwise, be deposited in any bank, or loaned, all interest or money which may be paid or agreed to be paid on account of any such loan or deposit, shall belong to and constitute a part of said fund: *Provided*, that nothing herein contained shall be construed as authorizing said treasurer to loan or deposit said fund or any part thereof, unless so authorized by the board.

§ 12. The board of trustees shall make report to the council of said city, village or incorporated town, of the condition of said pension fund and the amount of taxes necessary to be levied to carry out the provisions of this Act for the following fiscal year, on the first Monday of November in each and every year.

13. No portion of said pension fund shall, either before or after its order of distribution by said board, to any retired fireman, or to the widow or guardian of any minor child or children, or to the dependent parent or parents of a deceased fireman, be held, seized, taken subject to, or detained or levied on by virtue of any attachment, execution, injunction, writ interlocutory or other order or decree, or any process or proceeding whatever issued out of or by any court of this State for the payment or satisfaction in whole or in part of any debt, damages, claim, demand or judgment against any such fireman, or the widow or the guardian of any minor child or children or dependent parent or parents, of any deceased fireman; but the said fund shall be sacredly held, kept, secured and distributed for the purposes of pensioning the persons named in this Act and for no other purpose whatever.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

FREE PUBLIC LIBRARIES.

§ 1. Amends Act of 1872, by adding section 24a.

§ 24a. Provides for the establishment, maintenance and control of libraries.

(SENATE BILL NO. 178. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled[.] "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, by adding to article thirteen (XIII) of said Act, a new section to be known and designated as section twenty-four-a (24a).

SECTION 1. *Be it enacted by the People of the State of Illinois[.] represented in the General Assembly:* That an Act entitled "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended by adding to article thirteen (XIII) of said Act a new section to be known and designated as section twenty-four-a (24a), which said section is to read as follows:

§ 24a. In any city, town or village which has adopted, or may hereafter adopt, the form of government prescribed in this article, any public library or libraries for such city, town or village, shall be established, maintained and conducted in all respects in accordance with the provisions of an Act entitled "*An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,*" approved and in force March 7, 1872, as the same has been or may be subsequently amended.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

HARBOR STRUCTURES—USE FOR RECREATION PURPOSES.

§ 1. Amends Act of 1911, by adding sections 17a, 17b and 17c.

§ 17c. When power conferred upon city may be exercised.

§ 17a. Power of city to use utility for recreation purposes.

§ 2. Emergency.

§ 17b. Lease or contract for sale in or on utility of food, non-alcoholic drinks and merchandise and for giving dances, exhibitions, etc. — contract terminable upon reasonable notice — period of lease.

(HOUSE BILL NO. 459. APPROVED MAY 18, 1917.)

AN ACT to amend an Act entitled, "An Act to enlarge the power of cities and villages in relation to harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters and all harbor structures, facilities, connections, improvements and utilities constructed or operated in connection therewith and for the purpose of carrying out such power to authorize the acquisition and condemnation of property and to authorize the use, occupation, recovery and acquisition of artificially made or reclaimed lands of the State and the reclamation and acquisition of the submerged lands of the State, and to repeal an Act entitled, 'An Act to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips, and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power and to repeal all Acts or parts of Acts in conflict therewith,' approved June 10, 1911, and to repeal all other Acts or parts of Acts in conflict therewith," approved June 23, 1913, in force July 1, 1913, by adding thereto three (3) additional sections, to be known as sections 17a, 17b and 17c.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to enlarge the power of cities and villages in relation to harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters and all harbor structures, facilities, connections, improvements and utilities constructed or operated in connection therewith and for the purpose of carrying out such power to authorize the acquisition and condemnation of property and to authorize the use, occupation, recovery and acquisition of artificially made or reclaimed lands of the State and the reclamation and acquisition of the submerged lands of the State, and to repeal an Act entitled, 'An Act to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power, and to repeal all Acts or parts of Acts in conflict therewith,' approved June 10, 1911, and to repeal all

other Acts or parts of Acts in conflict therewith," approved June 23, 1913, in force July 1, 1913, be and the same is hereby amended by adding thereto three (3) additional sections, to be known as sections 17a, 17b and 17c and which additional sections shall read as follows:

§ 17a. Every such city and village shall also have the right, power and authority and such right, power and authority are hereby granted to use for public recreation purposes any portion of any such utility which is not immediately needed for transportation uses or which can be used for such recreation purposes without interfering with the use of such utility for transportation purposes in the judgment of the corporate authorities of such city or village.

§ 17b. In connection with the use of any portion of such utility for recreation purposes, as specified in the previous section hereof, every such city and village shall, also, have the right, power and authority and such right, power and authority are hereby granted to provide, by lease or contract, for the sale in or on such utility of food, non-alcoholic drinks and merchandise and for the giving in or on such utility of dances, concerts, exhibitions and other entertainments and for check-room privileges incidental thereto: *Provided, however,* that each such lease or contract shall be terminable by such city or village, either with or without compensation therefor as may have been therein stipulated, upon reasonable notice, whenever in the judgment of the corporate authorities of such city or village the transportation necessities shall make such termination desirable: *And provided, furthermore,* that no such lease or contract shall be entered into for a period exceeding five (5) years except in conformity with the provisions of section 11 of this Act.

§ 17c. Every power, right or authority which by this Act is granted to or conferred upon any such city or village, may be exercised by the concurrence of a majority of all the members elected in the city council of such city or village.

§ 2. WHEREAS, an emergency exists, this Act shall take effect immediately upon its passage.

APPROVED May 18, 1917.

INCORPORATION OF CITIES AND VILLAGES.

§ 1. Amends section 1 of Article VIII,
Act to provide for incorporation
of cities and villages, 1872.

§ 1. As amended, limits author-
ity to levy taxes.

(SENATE BILL NO. 192. APPROVED JUNE 25, 1917.)

AN ACT to amend section 1 of Article VIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly;[:]* That section 1 of Article VIII of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended to read as follows:

§ 1. The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following:

The city council or board of trustees, as the case may be, shall annually, on or before the third (3d) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and, by an ordinance specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for each purpose respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes, will produce a net amount of not less than the amount so directed to be levied, and it shall be the duty of the county clerk to extend such tax in a separate column upon the book or books of the collectors or collector of State and county taxes within such city or village. And where the corporate limits of any city or village shall lie partly in two or more counties, the city council or board of trustees shall ascertain the total amount of all taxable property lying within the corporate limits of said city or village in each county as the same is assessed and equalized for State and county purposes for the current year, and certify the amount of taxable property in each county within the said city or village, under the seal of said city or village, to the county clerk of the county where the seat of government of such city or village is situated, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village, ascertained as aforesaid, will produce a net amount not less than the amount so directed to be levied; and said clerk shall, as soon as said rate per cent of taxation is ascertained, certify under his hand and seal of office to the county clerk of any other county wherein a portion of said city or village is situate, such rate per cent, and it shall be the duty of such county clerk to whom such rate per cent is certified to extend such tax in a separate column upon the book or books of the collector or collectors of the State and county taxes for such county against all property in his county within the limits of said city or village: *Provided*, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness or interest thereon, shall not exceed the rate of two (2) per centum in cities or villages of less than 150,000 population according to the last decennial census, and one and two-tenths per cent in cities of 150,000 or over according to the last decennial census upon the aggregate valuation of all property within such city or village subject to taxation therein, as the same was equalized for State and county taxes for the current year: *And provided, further*; that nothing herein contained shall be held to repeal or modify the limitations contained in an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901 in force July 1, 1901, as subsequently amended. *Provided, further*,

that the city council or board of trustees, as the case may be, of cities, towns and villages of less than 150,000 population, or the mayor and commissioners in cities, towns or villages, under and having adopted the commission form of government, and having a population of less than 150,000 in either case, according to the last Federal census shall not levy a tax in excess of one and two-tenths per cent upon the aggregate assessed valuation of all the property within said city, town or village, subject to taxation therein, as the same was equalized for city, town, village or county taxes for the current year, unless authorized by a majority of all the votes cast at an election, either general or specially called for that purpose in pursuance of and compliance with an ordinance of the city council, board of trustees or (in case said city, town or village has adopted the commission form of government) the mayor and commissioners of said city, town or village, as the case may be.

APPROVED June 25, 1917.

LEVYING ADDITIONAL TAX FOR PURPOSE OF OILING STREETS.

§ 1. Amends section 1, of Article XIII, § 2. Emergency.
Act of 1872.

§ 1. As amended, provides for an additional tax levy in cities under 20,000 population for the purpose of oiling the streets, and further provides that the additional levy shall not be included in the aggregate of all the taxes which may be reduced.

(SENATE BILL No. 545. APPROVED JUNE 7, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section one (1) of article eight (VIII) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the incorporation of cities and villages,*" approved April 10, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended, by amending section one (1) of article eight (VIII) thereof, so that the same shall read as follows:

ARTICLE VIII.

§ 1. The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following:

The city council or board of trustees, as the case may be, shall, annually, on or before the third (3d) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and, by an ordinance specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for

each purpose respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village as the same is assessed and equalized for State and county purposes, will produce a net amount of not less than the amount so directed to be levied, and it shall be the duty of the county clerk to extend such tax in a separate column upon the book or books of the collector or collectors of State and county taxes within such city or village. And where the corporate limits of any city or village shall lie partly in two or more counties, the city council or board of trustees shall ascertain the total amount of all taxable property lying within the corporate limits of said city or village in each county as the same is assessed and equalized for State and county purposes for the current year, and certify the amount of taxable property in each county within said city or village, under the seal of said city or village, to the county clerk of the county where the seat of government of such city or village is situated, whose duty it shall be to ascertain the rate per cent which, upon the total valuation of all property subject to taxation within the city or village, ascertained as aforesaid, will produce a net amount not less than the amount so directed to be levied; and said clerk shall, as soon as said rate per cent of taxation is ascertained, certify under his hand and seal of office to the county clerk of any other county wherein a portion of said city or village is situate, such rate per cent, and it shall be the duty of such county clerk to whom such rate per cent is certified to extend such tax in a separate column upon the book or books of the collector or collectors of the State and county taxes for such county against all property in his county within the limits of said city or village: *Provided*, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness or interest thereon, shall not exceed the rate of one and two-tenths (1.2) per centum upon the aggregate valuation of all property within such city or village subject to taxation therein, as the same was equalized for State and county taxes for the current year; except that in cities and villages having a population of less than twenty thousand, for the purpose of oiling the streets within the corporate limits of any such city or village, or such or so much of said streets as shall be designated by an ordinance of such city or village, an additional tax not exceeding three (3) mills upon each one dollar valuation, may be levied in any year or years hereafter and the same shall be included in the annual appropriation bill and tax levy ordinance of that year: *And provided, further*, that nothing herein contained shall be held to repeal or modify the limitations contained in section 49 of an Act entitled. "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898.

Provided, further, that said taxes herein provided to be levied shall not be included in the aggregate of all the taxes required to be reduced

under the provisions of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, and Act[s] amendatory thereof.

§ 2. WHEREAS, an emergency exists, therefore this Act shall take effect and be in full force from and after its passage and approval.

APPROVED June 7, 1917.

LOCAL IMPROVEMENTS.

§ 1. Amends sections 65 and 67, Act of 1897, and adds section 64a.

§ 64a. Provides for special assessments to be stamped on tax books of county collector in cities of 100,000 or more.

§ 65. Provides for the report of collector of special assessments of delinquent taxes to the proper officer to sell real estate for said delinquent taxes.

§ 67. Provides for sale of real estate for failure to pay special assessments.

(SENATE BILL NO. 34. FILED JUNE 29, 1917.)

AN ACT to amend sections 65 and 67 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and in force July 1, 1897, as subsequently amended, and to add a new section to be known as "Section 64a."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* that sections 65 and 67 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended, be and the same are hereby amended, and that a new section, to be known as "Section 64a" be and the same is hereby added to said Act, said sections as amended and said new section 64a to read as follows:

"§ 64a. That in cities of this State having a population of one hundred thousand (100,000) or more, by the last preceding census of the United States, or of this State, when any officer is authorized to collect special assessments or special taxes, such officer shall on or before the 10th day of March, in each year, cause to be marked on the general tax books of the county collector, opposite the description of all lots, blocks, tracts or parcels of land to be assessed, the number of the special assessment or special tax warrant. It shall also be the duty of the county collector to stamp or write in large letters on the face of all tax bills or receipts issued by him the number of the special assessment or special tax warrant, and the words, "Special assessment due and payable."

"§ 65. It shall be the duty of the collector on or before the first day of April in each year, to make a report in writing to the general officer of the county authorized or to be designated by the general revenue laws of this State to apply for judgment and sell lands for taxes due the county and State, of all the land, town lots, and real property on which he shall be unable to collect special assessments, or installments thereof matured and payable, or interest thereon, or interest due to the preceding January second on installments not yet matured on all warrants in his hands, with the amount of such delinquent special

assessment or installments and interest together with his warrants; or, in case of an assessment levied to be paid by installments with a brief description of the nature of the warrant or warrants received by him authorizing the collection thereof, which report shall be accompanied with the oath of the collector that the list is a correct return and report of the land, town lots and real property on which the special assessment (or special tax levied by the authority of the city of..... or town or village.....as the case may be), or installments thereof, or interest, remaining due and unpaid; that he is unable to collect the same, or any part thereof, and that he has given notice required by law that such warrants have been received by him for collection; *Provided*, that in cities of this State having a population of one hundred thousand (100,000) or more by the last preceding census of the United States or of this State, it shall be the duty of the officer authorized to collect special assessments or special taxes for said city to make the aforesaid report in writing to the county collector of said county on or before the first day of August in each year, instead of on or before the first day of April in each year as above provided."

"§ 67. When such general officer shall receive the report above provided for, he shall proceed to obtain judgment against said lots and parcels of land and property for said special assessments and said special taxes, or installments thereof, and interest remaining due and unpaid, in the same manner as is or may be by law provided for obtaining judgment against lands for taxes due and unpaid the county or State; and shall in the same manner proceed to sell the same for the said special assessments, special taxes, or installments thereof, and interest remaining due and unpaid. In obtaining such judgments and making such sale, the said officer shall be governed by the general revenue law of the State, except when otherwise provided herein. No application for judgment against lands for unpaid special taxes or special assessments shall be made at a time different from the annual application for judgment against lands upon which general taxes remain due and unpaid. The application for judgment upon delinquent special assessments or special taxes in each year shall include only such special assessments, special taxes, or installments thereof, and interest as shall have been returned as delinquent to the county collector on or before the first day of April in the year in which said application is made: *Provided*, that such judgment of sale shall include interest on matured installments up to the date of such judgment, as herein provided: *Provided, further*, that in cities in this State having a population of one hundred thousand (100,000) or more by the last preceding census of the United States or of this State, no application for judgment against any lot, block, tract or parcel of land for unpaid special taxes or special assessments shall be made before the September term of court. The application for judgment upon delinquent special assessments or special taxes in each year shall include only such special assessments, special taxes, or installments thereof, and interest, as shall have been returned as delinquent to the county collector on or before the first day of August in the year in which said application is made, and marked on the general tax books of the county collector on or before the tenth day of March, as provided in

section 64a hereof. *Provided, further*, that such judgment of sale shall include interest on matured installments up to the date of such judgment, as herein provided.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

LOCAL IMPROVEMENTS.

§ 1. Amends sections 23, 30, 31 and 49,
Act of 1897.

§ 31. Order of possession.

§ 23. Trials.

§ 39. Apportionment of cost.

§ 30. Effect of judgment.

§ 2. Act applies.

(SENATE BILL NO. 485. FILED JUNE 28, 1917.)

AN ACT to amend sections 23, 30, 31 and 49 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 23, 30, 31 and 49 of an Act entitled "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended, be and they are hereby amended and made to read as follows:

§ 23. Upon the return of said summons, or as soon thereafter as the business of the court will permit, the court shall proceed to a hearing of the said cause, and shall impanel a jury to ascertain the just compensation to be paid to all such owners of property to be taken or damaged; and if objections shall be filed to the confirmation of the assessment of benefits, such objections shall be submitted to the same jury at the same time; and thereupon such jury shall ascertain the just compensation to be paid to the owner of each lot, block, tract or parcel of land to be taken or damaged in said proceeding, and shall also determine whether or not any lot, piece or parcel of land assessed in said proceeding, for which objections have been filed, has been assessed more than it will be benefited by said improvement, and on such hearing the commissioners' report so returned and filed as aforesaid, shall be *prima facie* evidence, both of the amount of the compensation to be awarded, and of the benefits to be assessed, and either party may introduce such other evidence as may bear upon the said issue or issues."

"§ 30. Any final judgment or judgments, rendered by said court, upon any finding or findings of any jury or juries or of any judge or judges where trial by jury is waived by the parties concerned, shall be a lawful and sufficient condemnation of the land or property to be taken, upon the payment of the net amount of such finding, as hereinafter provided. It shall be final and conclusive as to the damages and benefits caused by such improvement, unless such judgment or judgments shall be appealed from; but no appeal or writ of error upon the same shall delay proceedings under said ordinance, if the petitioner shall file in the

case its written election to proceed with the improvement notwithstanding such appeal or writ or error and shall deposit, as directed by the court, the amount of judgment and costs, after deducting the benefits assessed and adjudged against such property, if any. If the petitioner so elects to make such deposit prior to the final determination of any appeal or writ of error, it shall thereby become liable to pay to the owner or owners of and parties interested in the property in question, the difference if any between the amount so deposited and the amount ultimately adjudged to be the just compensation to be paid on account of such property, and interest on any such difference at the rate of five (5) per cent per annum from the date of the making of such deposit, and costs."

"§ 31. The court, upon proof that the amount of said just compensation, so found by the jury or by the court in case a trial by jury is waived by the parties concerned, (in excess of the benefits so assessed and adjudged against the same property), has been paid to the person entitled thereto, or has been deposited as directed by the court, shall enter an order that the petitioner shall have the right, at any time thereafter, to take possession of or damage the property, in respect to which compensation shall have been so paid or deposited as aforesaid. Such order shall not be appealable as a separate order, if the same be entered in time to be made a part of the record on appeal or writ of error from the judgment, or before the cause is taken under advisement upon hearing by the Supreme Court, but may be reviewed upon appeal or writ of error from the judgment.

"§ 49. If it be objected on the part of any property assessed for such improvement, that it will not be benefited thereby to the amount assessed thereon, and that it is assessed more than its proportionate share of the cost of such improvement, and a jury be not waived by agreement of parties, the court shall impanel a jury to try the said issue, and in such case, unless otherwise ordered by the court, all such objections shall be tried and disposed of before a single jury. The assessment roll, as returned by the officer making the same, or as revised and corrected by the court on the hearing of the legal objections, shall be *prima facie* evidence of the correctness of the amount assessed against each objecting owner but shall not be counted as the testimony of any witness or witnesses in the cause. Such assessment roll may be submitted to the jury and may be taken into the jury room by the jury when it retires to deliberate on its verdict. Either party may introduce such other evidence as may bear upon the said issue or issues. The hearing shall be conducted as in other cases at law, and if it shall appear that the premises of any objector are assessed more than they will be benefited by the said improvement or more than its proportionate share of the cost of such improvement, the jury shall so find, and shall also find the amount for which such premises ought to be assessed, and judgment shall be rendered accordingly.

§ 2. Said sections 23, 30, 31 and 49 as amended by this Act shall apply to all proceedings brought under said Act entitled "An Act concerning local improvements," which may be pending when this Act

takes effect as well as to proceedings which may be instituted under said Act thereafter.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LOCAL IMPROVEMENTS.

§ 1. Amends Act of 1897, by adding section 33b.

§ 33b. Provides for levy of direct annual tax of not more than three mills on the dollar in addition to other taxes levied—warrants how drawn.

(HOUSE BILL No. 541. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act concerning local improvements,*" approved June 14, 1897, in force July 1, 1897, by adding thereto section 33-B.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act concerning local improvements, approved June 14, 1897, in force July 1, 1897, be amended by the addition thereto of section 33-B, which said section 33-B, shall read as follows, to-wit:

§ 33-B. Any city, village or incorporated town, having over 15,000 and not more than 200,000 inhabitants, may provide by ordinance for the levy in addition to the taxes now authorized by law, a direct annual tax for not exceeding twenty successive years and not exceeding three mills on the dollar, of all taxable property in such city, town or village, the same to be levied and collected with and in like manner as the general tax in such city, town or village, and to be known as the public benefit tax, which fund shall be used solely for the purpose of paying that portion of the several amounts heretofore assessed against such municipality for public benefits as well as for paying any such amounts as may be hereafter so assessed for such benefits under and in pursuance of any ordinance that may be hereafter passed.

Where any such tax shall have been so levied, warrants may be drawn against the same, as and in the manner and with like force and effect as is provided in and by an Act of the General Assembly of the State of Illinois, entitled, "*An Act to provide for the issuing of warrants upon the treasurer of any county, township, city, school district or municipal corporation and jurors certificates,*" approved May 31, 1879, in force July 1, 1879, and all amendments thereto.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LOCAL IMPROVEMENTS—ACT OF 1897 AMENDED.

§ 1. Amends section 14, 92, 93 and 94,
Act of 1897.

§ 14. Contents of petition —
commissioners — how
fees paid in cities of
100,000 or more.

§ 92. Interest on bonds — how
to be paid — balance
used to reimburse cor-
porate fund.

§ 93. Rebates declared and paid
—proviso.

§ 94. Expenses, costs, etc., how
to be paid — excess —
deficiency in interest.

(SENATE BILL No. 32. APPROVED MAY 26, 1917.)

AN ACT to amend sections 14, 92, 93 and 94 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and in force July 1, 1897, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 14, 92, 93 and 94 of an Act entitled "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended, be and the same are hereby amended, said sections as amended to read as follows:

§ 14. CONTENTS OF PETITION — COMMISSIONERS.] Such petition shall contain a reasonably accurate description of lots, blocks, tracts and parcels of land which shall be taken or damaged. There shall be filed with or attached to such petition a copy of said ordinance, certified by the clerk, under the corporate seal, but the failure to file such copy shall not affect the jurisdiction of the court to proceed in said cause, and to act upon said petition; but if it shall appear in any such cause that a copy of the ordinance has not been attached to or filed with said petition before the report of the commissioners shall be filed, as provided in section 15, then, upon motion of any person whose real estate is to be taken, or to be assessed, the entire petition and proceedings shall be dismissed. Upon the filing of the petition the court shall enter an order designating two competent persons as commissioners, to act with the superintendent of special assessments (where such officer is provided for by this Act and in other cases the president of said board of local improvements) who shall investigate and report to the court the just compensation to be made to the respective owners of private property which shall be taken or damaged for the said improvement, and also what real estate will be benefited by such improvement, and the amount of such benefits to each parcel. Neither shall be employees of the petitioning municipality and both shall be disinterested persons. They shall be allowed a fee for their services which shall be fixed by the court in advance, and the amounts so allowed may be reviewed by the court upon motion, and may be taxed as costs and included in the amount to be assessed, *provided, however*, that in cities of this State having a population of one hundred thousand (100,000) or more by the last preceding census of the United States or of this State, the fee of said commissioners shall be paid by the city out of its general fund, except that the fees of said commissioners may be included among the expenses to be defrayed out of the sum not to exceed five per centum of the amount of the assessment, for which provision is

made in section 94 as herein amended. Said three commissioners shall be duly sworn to make a true and just assessment of the cost of said improvement according to law. The concurrence of any two in a report shall be sufficient.

§ 92. INTEREST ON BONDS—HOW TO BE PAID.] The board of local improvements before the crediting of the excess as provided for in section eighty-four, as herein amended, shall determine an estimated amount deemed sufficient to make up any probable deficiency of interest, by which from any cause, collections of interest may prove insufficient to meet the interest to be paid on said bonds until they mature as herein-before provided. Said estimate shall be deducted out of said installments as an item of expense before crediting rebates of excess as herein directed and shall be used for no other purpose than to make up such deficiency until the bonds are fully paid, both principal and interest. Any balance remaining of said estimate after the principal and interest of said bonds are fully paid may be used to reimburse the corporate funds for any advances made from said funds on account of costs of the special assessment or special tax or any other expenses of the improvement for which said special assessment or special tax is levied. Provided, however, that in cities, towns or villages of this State having a population of one hundred thousand or more by the last preceding census of the United States or of this State, no deduction of said estimate out of said installments shall be made where said ordinance providing for the assessment provided that a certain sum not to exceed five per centum of the amount of such special assessment or special tax shall be applied as herein provided in sections 93 and 94, or in case such city, town or village shall at any time before the crediting of such excess annually appropriate or set aside a fund or funds sufficient in amount to meet any and all estimated deficiencies in interest which may arise during the year for which said fund is provided.

§ 93. If, upon final settlement with the contractor for any improvement and full payment of all vouchers or bonds, issued on account of such contract, there shall be any surplus remaining in such special assessment or special tax above the payments aforesaid and above the amount necessary for the payment of interest on such vouchers or bonds as above provided, it shall be the duty of the proper authorities of such city, incorporated town or village to at once cause a rebate to be declared upon each lot, block, tract or parcel of land, assessed of its pro rata proportion of such surplus. The board of local improvements shall cause to be kept and exhibited publicly in its office, an index of all warrants upon which rebates are due and payable and upon proper proofs, the same shall be repaid to the person entitled thereto: *Provided, however,* whenever any city, town or village of this State, having a population of one hundred thousand or more inhabitants by the last preceding census of the United States or of this State, shall have appropriated or set aside a fund or funds sufficient in amount to meet any and all estimated deficiencies in interest, cost of making, levying and collecting special assessments or special tax, and of letting and executing contracts, advertising, clerical hire, engineering and inspection, court costs and

fees of commissioners in condemnation proceedings incurred in such proceedings and shall have, in and by the ordinance providing for the assessment, provided, that a certain sum not to exceed 5 per centum of the amount of such assessment or special tax shall be applied toward the payment of the aforesaid and other costs of making and collecting such assessment, the moneys collected in the fund created by such 5 per centum so added as hereinabove authorized shall be used to pay all deficiency in interest in the warrant, and the balance shall be used to reimburse the corporate funds for any advances made from said funds on account of costs of the special assessment or special tax or any other expenses of the improvement for which such special assessment or special tax is levied.

§ 94. EXPENSES, COSTS, ETC., HOW TO BE PAID.] The costs and expenses of maintaining the board of local improvements herein authorized, of paying salaries of the members of said board, and the expense of making and levying special assessments or special taxes and of letting and executing contracts; and also the entire cost and expense attending the making and return of the assessment rolls and the necessary estimates, examinations, advertisements, etc., connected with the proceedings herein provided for, including the court costs, including the fees to commissioners in condemnation proceedings, which are to be taxed as above provided, shall be paid by the city, village or town out of its general fund: *Provided, however*, that in cities, towns or villages of this State having a population of less than one hundred thousand by the last preceding census of the United States, or of this State, the city, village or town, as the case may be, may in and by the ordinance providing for the assessment prescribed, provide that a certain sum, not to exceed 6 per centum of the amount of such assessment, shall be applied toward the payment of the aforesaid and other costs of making and collecting such assessment.

Provided, further, that in cities, towns or villages of this State having a population of one hundred thousand or more inhabitants by the last preceding census of the United States, or of this State, the city, village or town, as the case may be, may in and by the ordinance providing for the assessment prescribed, provide that a certain sum not to exceed 5 per centum of the amount of such assessment, as finally determined after the completion of the improvement in accordance with section 84 of this Act, shall be applied (but only by way of reimbursement of the general corporate fund as hereinafter in this section provided) toward the payment of the cost of making, levying and collecting such special assessment or special tax, and of letting and executing contracts, advertising, clerical hire, engineering and inspection, court costs and fees of commissioners in condemnation proceedings incurred in such proceedings and deficiency in interest in the matter of such special assessment or special tax. If the part of the assessment levied on account of the expenses specified in this paragraph, shall exceed five per centum of the entire assessment as finally determined in accordance with said section 84, but shall not exceed five per centum of the assessment as originally levied and filed in court, such excess shall

not constitute any objection to a judgment of confirmation of the assessment, but no larger sum on account of the expenses specified in this paragraph than five per centum of the assessment as finally determined in accordance with said section 84, shall be deemed or treated as a part of the cost of the improvement to be certified by the board of local improvements in accordance with said section 84, and if the part of the assessment originally levied on account of the expenses specified in this paragraph shall exceed five per centum of the entire assessment as finally determined in accordance with said section, any such excess shall be deemed a part of the excess to be abated in accordance with the provisions of said section 84.

Provided, further, that such deficiency in interest, if any shall be first paid out of the fund so created by such 5 per centum so added as herein above authorized, and that the application of said fund toward the payment of the expenses specified in the preceding paragraph, shall be only by paying over and transferring the balance of said fund after the payment of such deficiency in interest, to the general corporate fund of said city, town or village for reimbursement for expenses of the improvement for which the assessment is levied, theretofore paid out of said general corporate fund.

APPROVED May 26, 1917.

LOCAL IMPROVEMENTS—BOND OF CONTRACTOR.

§ 1. Amends Act of 1897, by adding section 76a.

§ 76a. Bond of contractor —
what to contain —
suits on—costs.

(HOUSE BILL NO. 197. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "*An Act concerning local improvements,*" approved June 14, 1897, in force July 1, 1897, as amended by subsequent Acts, by adding a new section thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act concerning local improvements,*" approved June 14, 1897, in force July 1, 1897, as heretofore amended, be and the same is hereby amended by adding thereto a new section to be known as section 76a, such new section to read as follows:

§ 76a. The successful bidder for the construction of such improvement shall be required to enter into bond in a sum equal to the amount of such bid with sureties to be approved by the president of the board of local improvements, and filed with the board of local improvements or where there is no board of local improvements, with the city or village clerk, when entering into the contract for the construction of such improvement, which bond shall provide that the contractor shall well and faithfully perform and execute said work in all respects according to the complete and detailed specifications, and full and complete drawings, profiles and models therefor, and according to the time, and terms and conditions of the contract, and also, that such bidder and contractor shall promptly pay all debts incurred by such bidder or contractor in the prosecution of such work, including those for labor, and materials fur-

nished, and suit may be brought on such bond in case of default, or failure to pay such debts promptly, by and in the name of the city or village for all damages sustained either by the city or by any person or party interested or for the damages sustained by the city or village and all parties in interest; or by any beneficiary or party interested, in the name of the city or village for the use of the party interested as beneficial plaintiff, to recover for such labor, and materials furnished: *Provided*, costs shall in no case be adjudged against the city or village in any suit brought by any party in interest wherein the city or village is the nominal, but not the beneficial plaintiff. In advertising for bids or proposals for the construction of such improvement, the board of local improvements shall give notice that such bond will be required, and all bids or proposals shall contain an offer to furnish such bond upon the acceptance of such bid or proposal.

APPROVED June 11, 1917.

LOCAL IMPROVEMENTS—SPECIAL ASSESSMENTS.

§ 1. Amends section 68 and 72, Act of 1897.

§ 72. Municipality may buy in or withdraw from collection.

§ 68. Return of sale—redemption—payment.

(SENATE BILL NO. 480. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act concerning local improvements*," approved June 14, 1897, in force July 1, 1897, as amended, by amending sections 68 and 72 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act concerning local improvements*," approved June 14, 1897, in force July 1, 1897, as amended, be and the same is hereby further amended by amending sections 68 and 72 thereof, so that said sections shall read as follows:

§ 68. RETURN OF SALE—REDEMPTION—PAYMENT.] After making said sale, the list of lots, parcels of land and property sold thereat shall be returned to the office of the county clerk and redemption may be made as provided for by the General Revenue Law of the State; a list of all lots, parcels of land and property withdrawn from collection at said sale by the corporate authorities levying such tax shall also be returned to the office of the county clerk, where payment of any delinquent special assessment so withdrawn from collection may be made, as in the case of redemption from sale, at any time while the same is withdrawn from the county collector, or thereafter, if again advertised and sold, until the period of redemption at such subsequent sale under the General Revenue Law of the State has expired and a tax deed is issued thereon.

§ 72. MUNICIPALITY MAY BUY IN OR WITHDRAW FROM COLLECTION.] Any city, village or town interested in the collection of any tax or special assessment, may, in default of other bidders, become a purchaser at any sale of property to enforce the collection of the same, and may, by ordinance, authorize and make it the duty of one or more municipal officers to attend such sales and bid thereat in behalf of the

corporation; and such city, village or town may, through its said officer or officers, acting under like authority, in default of bidders, withdraw from collection at such sale any special assessment or installment thereof levied by it on any lot, parcel of land or property subject to sale; but such withdrawal from collection shall not operate to cancel the assessment or impair the lien of the municipality so withdrawing it, and the same shall be and remain delinquent and payable at the office of the county clerk, with all fees, costs and charges that have accrued thereon, and such lot, parcel of land or property, may be re[-]advertised and resold at any subsequent tax sale for such delinquent special assessment or installment thereof.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LOCAL IMPROVEMENTS—UNCLAIMED REBATE FUNDS.

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| § 1. Special "unclaimed rebate fund"—
what moneys to constitute. | § 4. When interest of claimants for-
feited and barred. |
| § 2. Before money set aside board of
local improvements to publish
notice—what notice to contain—
certificate. | § 5. Purposes for which funds may be
used. |
| § 3. City council may create fund and
provide for its control. | § 6. When money used shall be returned
to fund. |
| | § 7. Repeal. |

(SENATE BILL NO. 33. APPROVED MAY 26, 1917.)

AN ACT in relation to undistributed or unclaimed money received from the making of any local improvement paid for wholly or in part by special assessment or special taxation.

SECTION 1. *Be it enacted by the People of the State of Illinois; represented in the General Assembly:* That any city, town or village of this State having any undistributed or unclaimed money received from the making of any local improvement paid for wholly or in part by special assessment or special taxation, and which money shall have remained in the possession of said city, town or village for a period of eight years or more undistributed or unclaimed as a rebate or refund, after the provisions of the Local Improvement Act have been complied with in regard to refunds or rebates, may set aside and transfer said money, so undistributed or unclaimed, into a special fund to be known as the "unclaimed rebate fund," which may be used as hereinafter provided.

§ 2. Before such money so remaining undistributed or unclaimed and in the possession of said city, town or village, shall be set aside and transferred into said special fund known as the "unclaimed rebate fund," the board of local improvements of said city, town or village shall cause a notice to be published at least once a week for eight successive weeks in a daily newspaper of general circulation within said city, town or village; or if no daily newspaper is published in said city, town or village and a weekly newspaper is published therein, said notice shall be published once a week for eight successive weeks in some weekly

newspaper in such city, town or village; or if no daily or weekly newspaper is published in such city, town or village, then said notice shall be published once a week for eight successive weeks in some newspaper published in the county in which said city, town or village is situated. Said notice shall describe in a general manner the improvement in which there is any undistributed or unclaimed rebate or refund, giving the location of such improvement and the warrant number, and shall give notice that said city, town or village will by ordinance after the expiration of sixty days from the date of the first publication of such notice set aside and transfer all money which has remained for a period of eight years, or more, undisturbed or unclaimed as a rebate or refund, into said "unclaimed rebate fund," and shall state that unless the same is claimed by the person entitled thereto within said period of said publication, and the passage of an ordinance by said city, town or village, all interest therein and all right and title thereto shall be forfeited and barred.

A certificate of the publication of said notice, with a copy thereof, accompanied by the affidavit of the publisher or his duly authorized agent that such publication has been made and setting forth the date of the first and last publication thereof shall be filed in the office of the board of local improvements. Said board shall thereupon certify the fact of such publication to the city council of such city or the board of trustees of such town or village and shall therewith recommend the passage of an ordinance making transfer of said money into the "unclaimed rebate fund."

§ 3. The city council or the board of trustees, as the case may be, may by ordinance create an "unclaimed rebate fund" and may provide for its regulation and control and from time to time upon the recommendation aforesaid may direct that the undistributed and unclaimed money described in section one (1) of this Act, be set aside and transferred to said "unclaimed rebate fund."

§ 4. Unless a claim is made by the person entitled thereto before the passage of an ordinance by said city, town or village, as specified in section two (2) of this Act all interest therein and all right and title thereto of any and all claimants shall be forfeited and barred; and no action shall be begun or claim made for any money undistributed or unclaimed as a rebate or refund, received from the making of any local improvement, paid for wholly or in part by special assessment or special taxation, after said money shall have remained in the possession of said city, town or village, undisturbed or unclaimed as a rebate or refund, for a period of eight years or more, and where such money has been set aside and transferred into a special fund known as the "unclaimed rebate fund" in the manner hereinbefore provided.

§ 5. Any city, town or village having an "unclaimed rebate fund" created as herein provided may by ordinance direct the use of the money in such fund for the purpose of paying all rebates or refunds due on warrants for any special assessment or special tax, or for the purpose of paying unpaid special assessment vouchers or special assessment bonds, or special tax voucher, or interest, or deficiency in interest, or public

benefits, or for the purpose of purchasing any lot, block, tract or parcel of land or any real estate at any sale had to enforce the collection of special assessments or special taxes, *provided, however*, that said ordinances shall prescribe and limit by specific appropriation, the amount of such money in such fund to be used for each of said enumerated purposes respectively.

§ 6. Whenever any city, town or village shall have created an "unclaimed rebate fund" as herein provided, and by ordinance shall have directed the use of the money in such fund for the purpose of paying rebates or refunds due in any warrant for any special assessment or special tax, or for the purpose of paying unpaid special assessment vouchers or special assessment bonds, or special tax vouchers, or interest, or deficiency in interest, or for the purpose of purchasing any lot, block, tract or parcel of land or any real estate, at any sale to enforce the collection of special assessment or special taxes, it is herein provided that any such money so used shall be returned to the "unclaimed rebate fund" as soon as the same shall have been collected or paid into such special assessment warrant.

§ 7. All laws and parts of laws in conflict herewith are hereby repealed.

APPROVED May 26, 1917.

MUNICIPAL FUNDS—USE.

§ 1. Amends Act of 1911.

2. Interest on special assessments used to retire vouchers and bonds.

§ 1. Authorizes purchase of tax anticipation warrants—interest credited.

(SENATE BILL NO. 440. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled "*An Act concerning municipal funds,*" approved June 5, 1911, in force July 1, 1911, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act concerning municipal funds," approved June 5, 1911, in force July 1, 1911, as subsequently amended, be and the same is hereby amended and made to read as follows:

§1. That every city, incorporated town or village, now or hereafter holding in its treasury any fund set aside for use for some particular purpose, that is not immediately necessary for such purpose, may by ordinance of the city council of such city or board of trustees of such town or village use the money in such fund in the purchase of tax anticipation warrants issued by said city, town or village against taxes levied by said city, town or village; such warrants to bear interest not to exceed four per cent per annum, and all interest upon such warrants, and all moneys paid in redemption of said warrants shall at once be credited to and placed in such fund so held by such city, town or village; and the city council of such city, or board of trustees of such town or village, may by ordinance use the money in such fund in the purchase of municipal bonds issued by said city, town or village representing an obligation

and pledging the credit of such city, town or village, and all interest upon such bonds and all moneys paid in redemption of said bonds or realized from the sale of said bonds, if afterwards sold, shall at once be credited to and placed in such fund so held by such city, town or village.

That any city having a population of two hundred thousand (200,000) or more by the last preceding census of the United States or of this State, holding in its treasury any fund set aside for use for some particular purpose that is not immediately necessary for such purpose may, at any time by ordinance of the city council of such city, advance the money in such fund, or such part thereof as may be required, to the board of local improvements of such city, to be applied by such board toward the payment of any final judgment or judgments of condemnation rendered in any proceeding involving the taking or damaging of private property for a local improvement of such city, the cost of which is to be defrayed wholly or in part by special assessment or special taxation. Before any money shall be paid out upon such advance the city council shall by the same ordinance require such board of local improvements to make or execute and deposit with the city comptroller of such city, who shall give a receipt in writing therefor, a pledge or security in writing to the entire extent of such special assessment or special tax, for the repayment of such advance out of the proceeds of such special assessment or special tax. In such event, all moneys paid on account of the principal and interest of such special assessment or special tax shall at once be credited to and placed in such fund until the same is reimbursed for the advance made therefrom and the entire amount of such advance shall be repaid to such fund within five years from the date of passage of such ordinance, and thereupon the city council may by ordinance cancel and release such pledge. Such advance shall bear interest at the rate of five per cent per annum and the city council shall make provision for the payment of any part of such interest in excess of the interest paid on account of such special assessment or special tax and placed in the afore-said fund as above indicated, out of any corporate funds legally available for the same.

§ 2. Interest accruing upon deposits of money derived from special assessments may by ordinance of the city council of such city or board of trustees of such town or village be used in retiring outstanding special assessment vouchers and bonds that may be delinquent by reason of any deficiency in the fund out of which such vouchers or bonds are to be paid or for paying interest or deficiency in interest or for paying assessments on account of public benefits or for the purpose of purchasing any lot, block, tract, or parcel of land or any real estate at any sale had to enforce the collection of special assessments or special taxes.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has hereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

OFFICERS—THEIR POWERS AND DUTIES.

§ 1. Amends section 6, Article VI, Act of 1872.

§ 6. Qualifications of officers.

(HOUSE BILL NO. 971. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by amending section 6 of article VI thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, as subsequently amended, be, and the same is hereby amended, by amending section 6 of article VI thereof, to read as follows:

§ 6. No person shall be eligible to any office who is not a qualified elector of the city or village and who shall not have resided therein at least one year next preceding his election or appointment: *Provided, however,* that in cities or villages of less than 200,000 population according to the last preceding Federal or State census, the above qualifications shall not apply to the appointment or election of city engineer, or health officers, or officers of whom technical training or knowledge is required in incorporated cities and villages, or to attorneys in incorporated villages, but no person shall be eligible to any office in any such city, village or incorporated town who is a defaulter to the corporation.

APPROVED June 25, 1917.

OFFICERS—THEIR POWERS AND DUTIES.

§ 1. Amends section 11 of Article VI, Act of 1872.

§ 11. Record of ordinance.

(HOUSE BILL NO. 966. FILED JUNE 29, 1917.)

AN ACT to amend section 11 of article VI of an Act entitled, "*An Act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of article VI of an Act entitled, "*An Act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended to read as follows:

§ 11. RECORD OF ORDINANCES.] The clerk, except in cities having a population exceeding 100,000 inhabitants, shall record, in a book to be kept for that purpose, all ordinances passed by the city council or board of trustees, and at the foot of the record of each ordinance so recorded shall make a memorandum of the date of the passage and of the publication or posting of such ordinance, which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and legal publication or posting of such ordinances for all purposes whatsoever.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has hereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

PEDDLER'S LICENSE GRANTED SOLDIERS AND SAILORS WITHOUT FEE.

§ 1. Amends section 1 and 2, Act of 1901.

§ 2. License to be granted on presentation of certificate of discharge—penalty for refusing to issue license.

§ 2. Title of Act amended.

§ 1. Permits soldiers and sailors to peddle in this State without license.

(HOUSE BILL NO. 267. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act permitting all ex-Union soldiers and sailors honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois,*" approved May 11, 1901, in force July 1, 1901, by amending the title thereto and by amending sections one (1) and two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act permitting all ex-Union soldiers and sailors honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois,*" approved May 11, 1901, in force July 1, 1901, be and the same is hereby amended, by amending the title thereto and sections one (1) and two (2) thereof, so that the said title and said sections, when amended, shall read as inserted at length herein.

§ 2. The title of said Act is hereby amended to read as follows: "*An Act permitting all former soldiers and sailors of the United States or of the State of Illinois, honorably discharged from the military or marine service of the United States or of the State of Illinois, the right to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois.*"

§ 1. On and after the passage of this Act, all former soldiers and sailors of the United States or of the State of Illinois, honorably discharged from the military or marine service of the United States or of the State of Illinois, shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise, not prohibited by law, in any county, town, village, incorporated city or municipality, within this State, without a license; *provided*, said soldier or sailor is engaged in the vending, hawking or peddling of said goods, wares, fruits or merchandise, for himself only.

§ 2. Upon the presentation of his certificate of discharge to the clerk of any county, town, village, incorporated city or municipality in this State, and showing proofs of his identity as the person named in his certificate of honorable discharge, the clerk shall issue to such former soldier or sailor of the United States or of the State of Illinois, a license, but such license shall be free, and said clerk shall not collect or demand for the county, town, village, incorporated city or municipality, any fee therefor. Any clerk of any county, town, village, incorporated city or

municipality in this State, who shall violate any of the foregoing provisions of this Act, by failing or refusing to comply with such provisions as herein directed, shall be fined in a sum not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars, to which may be added imprisonment in the county jail, not exceeding ten days.

APPROVED June 25, 1917.

PENSION FUND—FIREMEN IN CITIES OVER 200,000.

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| § 1. Creates firemen's pension fund. | § 9. Retirement on account of physical or mental disability—pension—recovery and reinstatement—when allowance received under Workmen's Compensation Act. |
| § 2. Fund shall consist of what moneys—five-tenths of a mill tax. | |
| § 3. Board of trustees—election—officers—report. | § 10. Death while in service or after retirement—pension to widow, minor, children or dependent parents. |
| § 4. Members of board holding office under any other pension law to continue to serve rights and property not affected. | § 11. When fund insufficient to pay benefits. |
| § 5. Powers and duties of board. | § 12. Fund not subject to levy for debt or damages. |
| § 6. Treasurer—duties and bond. | § 13. Who included within meaning of the term "firemen"—not to lose protection if transferred. |
| § 7. How moneys paid out—interest—from. | § 14. Beneficiaries under other Act. |
| § 8. Retirement after twenty years of service—pension. | |

(HOUSE BILL NO. 738. FILED JUNE 14, 1917.)

AN ACT to provide for a firemen's pension fund and to create a board of trustees to administer said fund in cities having a population exceeding two hundred thousand (200,000) inhabitants.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That in each city whose population exceeds two hundred thousand (200,000) inhabitants, having a paid fire department, there is hereby created a firemen's pension fund which shall be collected and administered according to the provisions of this Act.

§ 2. Said pension fund shall consist of the following items which shall be set apart and placed to the credit of said pension fund.

(a) Two and one-half per centum of the salary or wages of each fireman to be retained or deducted by the fiscal officers of the city before any part of said salary or wages shall be paid to said firemen.

(b) Five per centum of an amount equal to the monthly salary or wages of each fireman, attached to his rank at the time of his retirement after twenty (20) years' service under the provisions of this Act, which shall be paid monthly by such retired fireman to the treasurer of the board of trustees hereinafter created from the time of such retirement and until he shall reach the age of fifty (50) years.

(c) All fines and penalties imposed upon firemen for breach of any rule of the fire department.

(d) All rewards in moneys, fees, gifts and emoluments that may be paid or given for or on account of extraordinary services by the fire department or any member thereof (except when allowed to be retained by competitive award.)

(e) All taxes collected for the firemen's pension fund pursuant to the levy hereinafter authorized.

(f) All moneys or property acquired from any source by the board of trustees hereinafter created under the powers granted to said board.

The city council of such city shall levy annually a tax, for the purpose of providing revenue for the pension fund hereby created, of five-tenths of a mill on the dollar on all taxable property of such city. Said tax shall be in addition to all other taxes which such city is now or hereafter may be authorized to levy upon the aggregate valuation of all property within such city, and shall be levied and collected in like manner with the general taxes of such city; and the county clerk in reducing tax levies under the provisions of section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the tax herein authorized as a part of the general taxes levied for city purposes and shall not include the same in the limitation of three per cent of the assessed valuation upon which taxes are required to be extended.

It shall be the duty of the corporate officers of such city who are or may hereafter be authorized by law to draw warrants upon the treasurer of said city, upon request made in writing by the board of trustees hereinafter created, to draw warrants upon the treasurer of such city payable to the treasurer of said board for all funds in the hands of the treasurer of such city belonging to such pension fund.

§ 3. That in each such city there is hereby created a body politic and corporate, under the name and style of, "The Board of Trustees of the Firemen's Pension Fund of the City of (name)," which shall have exclusive control and management of the firemen's pension fund. Said board shall be composed of the city treasurer, city clerk, marshal or chief officer of the fire department and the comptroller or chief officer of the finance department of said city and three other persons who shall be chosen from the active firemen of such city, and one other person who shall be chosen from the firemen who have been duly retired under this Act. The members of said board to be chosen from the active firemen shall be elected by ballot at a biennial election, at which election all active firemen of said city shall be entitled to vote; and the members of said board to be chosen from among the firemen who have been duly retired as aforesaid shall be elected by ballot at a biennial election, at which election all firemen retired under this Act shall be entitled to vote.

The election or elections in this section provided for, shall be held on the 3rd Monday in April, under the Australian ballot system, at such place or places in said city and under such rules and regulations as shall be prescribed by the board: *Provided*, that no person entitled to vote shall cast more than one vote at such election. In the event of the death, resignation, failure or inability to act of any member of said board, elected under the provisions hereof, the successor to such member shall be elected at a special election which shall be called by said board and shall be conducted in the same manner as the biennial election hereunder.

The said board shall elect from their number a president. The city treasurer shall be *ex officio* the treasurer of said board and the city clerk shall be *ex officio* secretary of said board.

The said board of trustees shall submit a report, at least once each year, to the Superintendent of Insurance of this State, and the said Superintendent of Insurance shall prescribe the form for such reports, the matter which they shall contain, and the times when they shall be submitted, and said Superintendent of Insurance shall report the information so submitted to him or a comprehensive summary thereof, to the Governor of this State at least once each year. The said Superintendent of Insurance shall also prescribe a system of records and accounting to be used in the management of this fund.

§ 4. The members of the board of trustees of the firemen's pension fund of any such city holding office under any other firemen's pension law existing at the time this Act shall become effective, shall serve as members of the board hereby created for the terms for which they were respectively appointed or elected and until such time as their successors are respectively appointed or elected and qualified as herein provided. All rights and property of every kind and description which are vested in the board existing at the time this Act shall become effective shall be deemed and held to be vested in the board created under the provisions of this Act; and no rights or liabilities, suit or prosecution of any kind, either in favor of or against said board, existing at the time this Act shall become effective, shall be affected by the transfer of the firemen's pension fund from the control of one board to the other, but the same shall stand and progress as if no change had been made.

§ 5. Said board shall have power:

(a) To hear and determine all applications for pensions and to suspend the payment of pensions under this Act and its decisions in such matters shall be final and conclusive and not subject to review or reversal except by the board.

(b) To compel witnesses to attend and testify before it upon all matters connected with the operation of this Act in the same manner as is or may be provided by law for the making of testimony before masters in chancery, and the president or any member of said board is hereby authorized to administer oaths to such witnesses.

(c) To take by gift, grant, devise or bequest any money, real estate, personal property or other valuable thing.

(d) To establish and maintain a fund in reserve and to invest said fund, or any part thereof, in the name of said board in interest bearing bonds of the United States, of the State of Illinois, or of any county or municipal corporation of the State of Illinois.

(e) To sell or dispose of, in any manner that said board in its judgment deems proper, any or all assets of any kind, which are in the possession or under the control of said board.

(f) To employ a physician, counsel or attorney and such clerical aid as may be necessary.

(g) To provide for the payment from said pension fund of all moneys which may be necessary for the expenses of the board.

(h) To make all needful rules and regulations for its government in the discharge of its duties.

It shall be the duty of the board:

(a) To order payments to be made from the firemen's pension fund all persons entitled thereto under the provisions of this Act.

(b) To order that payments of pensions to firemen retired on account of disability be suspended whenever said board shall be satisfied that such disability no longer exists.

(c) To report to the city council before the first Monday of September of each year the amount of taxes necessary to be levied to carry out the provisions of this Act for the following fiscal year.

(d) To keep a record of all its meetings and proceedings.

(e) To require every fireman retired on account of disability to be examined at least once a year by a physician to be selected by the board, and to require said physician to report to the board the physical and mental condition of all such firemen examined by him.

§ 6. The treasurer of the board shall be the custodian of said pension fund and shall secure and safely keep the same subject to the control and direction of the board. He shall keep his books and accounts concerning said fund in such manner as may be prescribed by the Superintendent of Insurance and said books and accounts shall always be subject to the inspection of the board or any member thereof. The treasurer shall, within ten days after his election or appointment, execute a bond to the board, with good and sufficient securities, in such penal sum as the board shall direct, to be approved by the board, conditioned for the faithful performance of the duties of his office, and that he will safely keep and well and truly account for all moneys and property which may come into his hands as such treasurer; that on the expiration of his term of office, he will surrender and deliver over to his successor all unexpended moneys and all property which may have come to his hands as treasurer of the firemen's pension fund. Said bond shall be filed in the office of the secretary of said board and in case of a breach of the same, or the conditions thereof, suit may be brought on the same in the name of said board.

§ 7. All moneys ordered to be paid from said pension fund to any person shall be paid by the treasurer of said board only upon warrants signed by the president of the board and countersigned by the secretary thereof; and no warrant shall be drawn except by order of the board duly entered in the records of the proceedings of the board. In case said pension fund or any part thereof shall by order of said board or otherwise be deposited in any bank, or loaned, all interest or money which may be paid or agreed to be paid on account of any such loan or deposit shall belong to and constitute a part of the firemen's pension fund: *Provided*, that nothing herein contained shall be construed as authorizing the said treasurer to loan or deposit said fund or any part thereof, unless so authorized by the board.

§ 8. Any fireman of any such city, after having served twenty (20) years as a fireman, of which the last five (5) years shall be continuous, may retire from active service, and when such retired fireman shall have

reached the age of fifty (50) years the board shall order and direct that such fireman shall be paid a monthly pension equal to one-half the amount of monthly salary attached to the rank which he may have held in the fire service at the date of his retirement; *provided* that the retired fireman has remained in good standing by paying to the treasurer of the board all his monthly contributions from the time of his retirement until he shall have reached the age of fifty (50) years as required by this Act. *Provided*, further, that the pension so paid shall not exceed the sum of three thousand (\$3,000) dollars per annum, nor be in any case less than six hundred (\$600) dollars per annum.

Any fireman of any such city, who, after having served twenty (20) years as a fireman, of which the last five (5) years shall be continuous, shall be discharged from the fire service, shall be entitled to the same benefits under this Act as firemen who have retired as hereinabove provided.

In determining whether the service of a fireman has been continuous for the last five (5) years, under the provisions of this section, all firemen subject to be called to duty, whether in active service or on leave of absence, shall be regarded as being in the fire service but in computing the time for the purpose of determining whether a fireman has served twenty (20) years, all furloughs without pay exceeding thirty (30) days in any one year shall not be counted.

§ 9. If any firemen of any such city while in active service or on leave of absence shall become and be as so physically or mentally disabled as to render necessary his retirement from active service, said board shall order the retirement of such disabled fireman and he shall be paid a monthly pension equal to one-half the amount of salary attached to the rank which he may have held in such fire service at the date of his retirement: *Provided*, further, that the pensions so paid shall not exceed the sum of three thousand (\$3,000.00) dollars per annum, nor be in any case less than six hundred (\$600.00) dollars per annum. *Provided, however*, that no pension shall be allowed to any fireman who has been so physically or mentally disabled while on leave of absence without pay for more than thirty days during any year.

If, after placing a fireman on the pension roll, the board shall become satisfied that such retired fireman has recovered from such physical or mental disability, said board shall order the suspension of the payment of his pension and that said fireman report back to the marshal or chief of the fire department of such city, who shall thereupon order the reinstatement of such firemen in active service in the same rank or grade that such fireman held at the time of his retirement.

If any fireman of any such city receives any compensation or allowance from such city under and by virtue of the law known as the Workmen's Compensation Act or other similar Act, the pension herein provided for such employee shall be reduced by the amounts so received if they be less than the amounts of such pension, and if any employee receives a sum or sums as compensation or allowance in excess of the pension herein provided for such employee, he shall not receive any pension until after the expiration of the period of time during which

pension payable at the rate herein stated would equal the amount of such excess sum or sums.

§ 10. If any fireman shall die from any cause while in the service, excepting while on leave of absence without pay for more than thirty days during any year, or if any fireman shall die from any cause during retirement on account of disability or during retirement after twenty years' service and while in good standing, as provided in this Act, and shall leave a widow, minor natural child or children or dependent natural father or mother surviving, said board of trustees shall direct the payment from such pension fund of the following sums of money monthly:

(a) To such widow while unmarried, fortyfive dollars, *provided*, that no pension shall be allowed to the widow of any deceased fireman who has married such fireman subsequent to the date of his retirement with a pension under the provisions of this Act, and subsequent to June 30, 1915.

(b) To the guardian of any such child or children, ten dollars while their mother is living and unmarried and fifteen dollars if their mother is not living, until said child or children reach the age of eighteen years, *provided*, that if any such child or children, after reaching the age of fourteen years, shall not attend school, then such child or children not attending school shall be paid five dollars a month while the mother is living and unmarried and ten dollars a month if the mother is not living.

(c) To such dependent father or mother, if there be no widow or minor natural child or children surviving the deceased fireman, the sum of twenty-five dollars, *provided*, it shall be proved that the deceased fireman at the time of his death was the sole and only support of such parent or parents.

§ 11. If at any time there shall not be sufficient money in the firemen's pension fund to pay each person entitled to the benefits thereof, the full amount per month as provided in this Act, then and in that event an equal percentage of the monthly payments authorized by this Act shall be paid to each beneficiary thereof until the said fund shall be replenished, warranting the payments in full to each of said beneficiaries.

§ 12. No portion of said pension fund shall either before or after its order of distribution by said board to any retired fireman or to the widow or guardian of any minor child or children, or to the dependent parent, or parents of a deceased fireman, be held, seized, taken, or detained or levied on by virtue of any attachment, execution, injunction writ, interlocutory or other order or decree, or any process or proceeding whatever issued out of by any court of this State for the payment or satisfaction in whole or in part of any debt, damages, claim, demand or judgment against any such fireman or the widow or the guardian of any minor child or children or dependent parent or parents of any deceased fireman; and no pensioner shall have the right to assign his or her pension, or any part thereof; but the said fund shall be sacredly held, kept and secured and distributed for the purpose of pensioning the persons named in this Act and for no other purpose whatever.

§ 13. In cities which have adopted an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all persons who have been or shall hereafter be appointed to any position which is classified by the civil service commission of such city in the fire service of such city, and in cities which have not adopted said Civil Service Act, all persons appointed to any position in the fire department, shall be included within the meaning of the word or term "fireman" or "firemen" as used in this Act. All other persons who at the time this Act shall become effective shall have contributed to any firemen's pension fund then existing, shall also be included within the meaning of the term "fireman" or "firemen" as used in this Act, and shall be entitled to the benefits of this Act.

Any fireman or firemen who shall have served the required period of probation in the fire department of any such city and shall have remained five years under the protection of said pension fund shall not be removed from same because of involuntary transfer from the fire department to some other department of such city; *provided, however*, that he shall pay into said pension fund each month an amount equal to that which he would be required to pay in the position he occupied while in the employ of the fire department.

§ 14. The widows, orphans and dependent parents of deceased firemen and all retired firemen who are receiving or entitled to pensions under any other firemen's pension law in force in any such city at the time this Act shall become effective, shall be entitled to the benefits and pensions provided for by this Act, and none other, from the time that this Act shall become effective in such city.

FILED June 14, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has hereby become a law.

Witness my hand this fourteenth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

PENSION FUNDS—MUNICIPAL EMPLOYEES IN CITIES OVER 100,000
FORMERLY ENGAGED IN MILITARY SERVICE.

§ 1. Amends section 9½, Act of 1911.

§ 9½. As amended, provides
Civil War Veterans may
become participants as
well as beneficiaries
under the Act.

(HOUSE BILL NO. 141. FILED JUNE 11, 1917.)

AN ACT to amend section 9½ of "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, or [for], municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities', approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," (approved May 31, 1911, in force July 1, 1911,) as amended by an Act approved June 29, 1915, in force July 1, 1915.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 9½ of "An Act to

provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, or municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities', approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," (approved May 31, 1911, in force July 1, 1911,) as amended by an Act approved June 29, 1915, in force July 1, 1915; be and the same hereby is amended so as to read as follows:

§ 9½. Any employee under civil service who shall have been in the service of such city, village or town for a period of not less than ten (10) years and who was engaged in the military or naval service of the United States during the years 1861, 1862, 1863, 1864 or 1865, and who was honorably discharged therefrom, and who is sixty-five (65) years or more of age, shall have the right to retire from the service of such city, village or town, and become a participant and beneficiary hereunder, at any time after July 1, 1916; *Provided*, that no pension or benefit shall be paid to any such employee unless such employee shall on or before the date of his retirement from the service (or in the event that he does not retire before January 1, 1918) on or before that date pay to the treasurer of such city, village or town for the benefit of the pension fund hereby created a sum equal to the full amount which would have been deducted from his salary or wages during the period of his employment since July 1, 1911, and applied to said pension fund if such employee had been a participant in said pension fund during said period of employment. In determining the amount so to be paid credit shall be given for any moneys deducted from the salary or wages of any such employee and applied to said pension fund during the period of employment herein stated. *Provided, further*, that any such employee referred to in this section who shall retire from the service of such city, village or town before deduction shall have been made from the salary or wages of such employee for a period of twenty (20) years shall agree to pay into said fund, without interest thereon, the sum which, together with all moneys previously deducted from the salary or wages of such employee, is equal to the full amount which would have been deducted and applied to said fund during a period of twenty years. Such sum so to be paid shall be deducted by the treasurer of such city, village or town in equal monthly installments of ten dollars each, from the benefits due and payable to such employee at the regular times for the payments of said benefits after he shall become a beneficiary hereunder.

It is the purpose and intent of this section that its provisions shall apply only to persons who were engaged in the military or naval service as aforesaid, and that it shall in no way repeal or affect any of the other provisions of this Act.

FILED June 11, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this eleventh day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

PENSION FUND—MUNICIPAL EMPLOYEES IN CITIES OVER 100,000
ACT OF 1911 AMENDED.

§ 1. Amends sections 1, 2, 7, 8 and 9,
Act of 1911.

§ 1. As amended, provides that beginning with the year 1918, the sum set apart by the city for the benefit of the pension fund shall be twice the amount deducted from salaries of employees or in lieu thereof an additional tax may be levied in such amount as will produce such sum.

§ 2. As amended, provides when trustees shall be elected and how they shall qualify—penalty, for falsely impersonating employee or fraudulent voting—annual report.

§ 7. As amended, provides that employee retiring before having been employed for 20 years shall agree to pay into said fund within four years an amount equal to that which he would have paid had he been employed for twenty years, with interest at 5 per cent from date of his retirement.

§ 8. As amended, provides that employee who may retire before the age of 55, who has not paid into the fund for the full 20 years, may become a beneficiary upon attaining the age of 55 by paying into the fund within 1 year after retirement, an amount equal to that which he would have paid had he been employed for the full 20 years with 5 per cent interest.

§ 9. As amended, provides amount of pension to be received by employee retiring on account of disability after 5 years' service—proof of disability—amount when employee receives compensation under Workmen's Compensation Act.

(HOUSE BILL NO. 423. FILED JUNE 8, 1917.)

AN ACT to amend sections 1, 2, 7, 8, and 9 of an Act entitled, "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities', approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," approved May 31, 1911, in force July 1, 1911, as subsequently amended.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 1, 2, 7, 8, and 9 of an Act entitled, "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employees appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities', approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," approved May 31, 1911, in force July 1, 1911, as subsequently amended, be and the same are hereby amended so as to read as follows:

§ 1. That hereafter in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, there shall be created, estab-

lished and maintained a pension fund for municipal employees who are employed in such cities, villages and towns, under and by virtue of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town: *Provided, however*, that the provisions of this Act shall not apply to probationary employees, nor to employees who are less than twenty-one years of age, nor to those defined as sixty-day employees by said Act, nor to any employee who is sixty or more years of age at the time this Act is in force and effect and who at said time has not been in the service of such city, village or town for at least ten years, nor to any employee of such city, village or town now or hereafter participating in any other municipal pension fund. Nor to laborers, unless any such laborer shall within six months after this Act shall be in force and effect, or in the event that any such laborer is not now in the employ of such city, village or town, within six months after such laborer shall enter the service of such city, village or town, give written notice of his election to the board of trustees of said fund of his desire to participate in the benefits hereunder.

Said fund shall consist of amounts of two dollars and fifty cents a month retained or deducted by the comptroller of such city, village, or town from the salaries or wages of each employee and such other sums as are hereinafter referred to: *Provided, however*, that if the name of any such employee shall not appear upon the pay-roll of the department in which he or she is employed by reason of leave of absence, sickness, lack of work, or any other good and sufficient cause, making a deduction impossible, such employee may retain his or her rights under this Act by paying two dollars and fifty cents each month to the treasurer of such city, village or town for the benefit of said fund, during his or her temporary absence from the service. In computing the duration of service of each employee, the time during which he or she may have been absent from duty during his or her entire term of service, for any cause other than suspension or discharge, shall be included.

There shall be set apart during the year 1917, by such cities, villages and towns from the revenue collected or received by such cities, villages and towns, from the revenue collected or received by such cities, villages and towns from licenses issued by such cities, villages and towns authorizing persons and corporations to engage in any business, profession or occupation within the corporate limits of such cities, villages and towns, excepting public utilities, a sum equal to the amount deducted from the salaries or wages of the aforesaid employees and the amounts paid to the treasurer of such city, village or town by the aforesaid employees for the benefit of the fund hereby created, as prescribed in this section, during the preceding fiscal year; and thereafter, beginning with the year 1918, such cities, villages and towns shall set apart annually from the revenues collected or received from the said sources a sum equal to twice the amount deducted from the salaries or wages of the aforesaid employees and twice the amount paid to the treasurer of such city, village or town by the aforesaid employees for the benefit

of said fund, as prescribed in this section, during the preceding fiscal year.

Such sums so set apart by such cities, villages and towns shall be paid by the official or officials of such cities, villages and towns to the treasurer of the pension fund hereby created, on or before the third Tuesday in August of each year.

In lieu of setting apart the aforesaid sums, any such city, village or town may levy a tax for the purpose of providing revenue for the pension fund hereby created, and for that purpose it shall be lawful for any such city, village or town to levy a tax on all taxable property of such city, village or town in such amount as will produce the sum of money equal to twice that deducted from the salaries or wages of the aforesaid employees and twice that paid to the treasurer of such city, village or town by the aforesaid employees for the benefit of the pension fund created by this Act, as prescribed in this section, during the preceding fiscal year. Said tax (which shall in no event exceed five-tenths of a mill on the dollar) shall be levied and collected in like manner with the general taxes of such city, village or town, which said tax shall be in addition to all other taxes which such city, village or town is now or may hereafter be authorized to levy upon the aggregate valuation of all property within such city, village or town, and the county clerk of the county in which such city, village or town is located, in reducing tax levies under the provisions of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the tax for the pension fund created by this Act as a part of the general tax levy for such city, village or town purposes, and shall not include the same in the limitation of three (3) per cent. of the assessed valuation upon which taxes are required to be extended. All moneys derived from the tax so levied shall be set apart by the official or officials of such city, village or town to whom same shall be paid as a fund for pensioning the employees hereinbefore described of such city, village or town, and shall be paid to the treasurer of the pension fund created by this Act as soon as said moneys are received by said official or officials. Should there be insufficient funds to meet the requirements of this Act during any year, such city, village or town may issue and dispose of tax anticipation warrants as provided by law against the tax levy for the current fiscal year.

If the sum derived from the tax levied as aforesaid should exceed twice that deducted from the salaries or wages of the aforesaid employees and twice that paid to the treasurer of such city, village or town by the aforesaid employees for the benefit of said fund, as prescribed in this section, and applied to this fund during the preceding fiscal year, the sum to be paid into the fund during the next succeeding year shall be reduced by the amount of such excess. If the sum derived from the said tax levied as aforesaid should be less than the aforesaid sum of twice that deducted from the salaries or wages of the aforesaid employees and twice that paid to the treasurer of such city, village or town by the aforesaid employees for the benefit of the fund, as prescribed in this

section, during the preceding fiscal year, the amount of such deficit shall be included in the tax levy for the ensuing year.

And at the time of the payment of such moneys, collected or received from licenses, or resulting from the levy and collection of the tax hereinbefore provided for, said official or officials shall make a sworn statement to the board of trustees of said pension fund and to the mayor of such city or cities, or the president of the board of trustees of such villages and towns of all moneys received and paid out by such official or officials on account of said pension fund during the year, and any such official or officials shall at any and all times, upon demand by said pension board, furnish to said board a statement or information of any kind relative to said official's or official's method of collecting or handling of said pension funds, and all books and records of such official or officials shall be produced at any time by said official or officials for examination and inspection by said board of pension trustees, for the purposes herein provided.

§ 2. A board composed of the comptroller and treasurer of said city, village or town, and three employees elected as hereinafter provided, who shall be residents of such city, village or town shall be and constitute a board of trustees, authorized to carry out the provisions of this Act. Said board shall be known as the board of trustees of the municipal pension fund of such city, village or town. The three members of said board who are employees shall not hold, during their term of membership on said board, any appointive or elective political offices or positions. One of such persons shall be elected to serve for a term of one year, one for a term of two years, and one for a term of three years, and annually thereafter said employees shall elect one of their number to hold office for a term of three years or until his or her successor is elected and qualified. Each such person so elected shall qualify for office by taking oath, which oath shall be administered by the clerk of such city, village or town, to perform the duties of the office of trustee of said fund in compliance with the terms of this Act, and shall thereupon assume the duties of said office.

Elections for trustees of this fund shall be held on some day between the second Monday in September and the second Monday in October of each year, under rules and regulations prescribed by the board of trustees. The ballot shall be secret in character, and the person for whom the greatest number of votes shall be cast shall be considered and declared elected trustee of this pension fund. All employees from whose salaries or wages deductions shall have been made or who shall have made payments to the treasurer of such city, village or town for the benefit of this fund, as prescribed in section 1 of this Act, within one month prior to the date on which any such election is held, shall have the right to vote at such election.

When any elective member of said board shall cease to be in the employ of said city, village or town, his or her membership in such board shall cease. In the event of death, resignation or inability to act of any member of said board elected under the provisions of this section, the successor of such member shall be elected at a special election, which

shall be called by said board and be conducted in the same manner as are annual elections hereunder, and any person so elected shall qualify for office in the manner hereinbefore stated, and shall thereupon assume the duties of said office.

If at any election hereafter held in any such city, village or town for the purpose of electing a trustee or trustees of the fund hereby created, any person shall falsely personate an employee entitled to vote at such election, and vote or attempt to vote in or under the name of such employee, or in or under any false or assumed or fictitious name, or in or under and name not his own; or shall knowingly, wilfully or fraudulently cast more than one vote for any candidate, or vote more than once, or having voted shall vote or attempt or offer to vote again, or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, attempt to influence any employee entitled to vote, in giving his vote, such person upon conviction thereof shall be adjudged guilty of a misdemeanor and shall be fined the sum of one hundred (\$100.00) dollars for each such offense.

The said board of trustees shall submit a report, at least once each year, to the Superintendent of Insurance of this State, and the said Superintendent of Insurance shall prescribe the form for such reports, the matter which they shall contain, and the times when they shall be submitted, and said Superintendent of Insurance shall report the information so submitted to him, or a comprehensive summary thereof, to the Governor of this State at least once each year. The said Superintendent of Insurance shall also prescribe a system of records and accounting to be used in the management of this fund.

§ 7. Except as hereinafter provided in section 9½ of this Act, any employee who shall have been in the service of such city, village or town for a period of not less than twenty (20) years, and who shall have attained the age of fifty-five (55) years, shall have the right to retire from the service of such city, village or town at any time after this Act is in force and effect and to become a beneficiary hereunder. *Provided*, that any such employee who shall retire from the service of such city, village or town, before deduction shall have been made from the salary or wages of such employee for a period of twenty (20) years shall agree to pay into said fund, within four (4) years from and after the date when such employee shall become a beneficiary of said fund, the sum which, together with all moneys previously deducted from the salary or wages of such employee and all moneys paid to the treasurer of such city, village or town by such employee for the benefit of the fund hereby created, as prescribed in section 1 of this Act, is equal to the full amount which would have been deducted and applied to said fund during a period of twenty (20) years and interest thereon at the rate of five (5%) per cent. per annum from date of retirement. Such sum so to be paid shall be deducted by the treasurer of such city, village or town in equal monthly installments from the benefits due and payable to such employee at the regular time for the payment of said benefits after he or she shall become a beneficiary hereunder.

§ 8. Except as hereinafter provided in section 9½ of this Act, any employee who has been in the service of such city, village or town for a period of not less than twenty (20) years and who shall retire from the service of such city, village or town before attaining the age of fifty-five (55) years shall have the right to continue paying into said fund monthly at the prescribed rate and may thereby remain in good standing in said fund and shall have the right to become a beneficiary hereunder upon attaining the age of fifty-five (55) years: *Provided*, such employee shall, in the event that he or she retires from the service of such city, village or town before deduction shall have been made from the salary or wages of such employee for a period of twenty (20) years, pay into such fund, within one year from the date when he or she shall retire from the service of said city, village or town, a sum which, together with all moneys previously deducted from the salary or wages of such employee and all moneys paid to the treasurer of such city, village or town by such employee for the benefit of the fund hereby created, as prescribed in section 1 of this Act, is equal to the full amount which would have been deducted and applied to said fund during a period of twenty (20) years, with five (5%) per cent interest thereon from date of retirement.

§ 9. Any employee who has been in the service of said city, village or town for a period of five (5) years, or more, from and after July 1, 1911, shall have the right to retire from active service on account of serious disability, rendering him or her unable to properly discharge his or her duties, and may become a beneficiary under this Act and be entitled to receive pension in an amount equal to that provided for an employee who retires under the provisions of section 7 hereof and whose payments into the fund, in form of deductions from salary or wages and payments as prescribed in section 1 hereof, are equal to those of said disabled employee.

Proof of disability shall be furnished to the board of trustees by at least one licensed and practicing physician of such city, village or town, who shall be selected by said board, and said board may require other evidence of disability. Each such disabled employee who shall receive pension under the provisions of this section shall be examined at least once a [each] year by one or more licensed and practicing physician or physicians selected by said board. Such physician or physicians shall advise said board whether the disability of such employee continues or not. When the disability of any such employee ceases, the said board shall discontinue payment of pension to such employee, and he or she shall be returned to active service at the same salary which he or she received before retirement on account of disability as soon as may be under the laws and rules governing the civil service of such city, village or town.

If any employee receives any compensation or allowance from such city, village or town, under and by virtue of the law known as the Workmen's Compensation Act or other similar Act, the pension herein provided for such employee shall be reduced by the amounts so received if they be less than the amounts of such pension, and if any employee

receives a sum or sums as compensation or allowance in excess of the pension herein provided for such employee, he or she shall not receive any pension until after the expiration of the period of time during which pension payable at the rate herein stated would equal the amount of such excess sum or sums.

FILED June 8, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

PENSION FUND—POLICE IN CITIES OVER 200,000, ACT OF 1915 AMENDED.

§ 1. Amends sections 3, 4, 5, 6, 7 and 9, Act of 1915.

§ 3. Retirement after twenty years service at age of 50 years — pension — after death pension to widow or children — children—when no pension granted.

§ 4. Retirement for physical disability — pension — pension to cease on reinstatement — certificate of disability — examination.

§ 5. Death in performance of duty—pension to widow or children—death from other causes or insanity —pension.

§ 6. Pension lost by crime or neglect—when compensation received under Workmen's Compensation Act — when widow remarries.

§ 7. Term "policeman" interpreted and construed.

§ 9. How fund created—Superintendent of Insurance to determine amount necessary — report certification to city council—tax — appropriation — failure to provide for levy—transfer of funds — disposition of fund under former Act—suits —annual report.

(HOUSE BILL NO. 420. FILED JUNE 14, 1917.)

AN ACT entitled, "*An Act to amend sections 3, 4, 5, 6, 7 and 9 of an Act to provide for the setting apart, formation and disbursement of a Police Pension Fund in cities having a population exceeding two hundred thousand inhabitants,*" approved June 29, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 3, 4, 5, 6, 7 and 9 of an Act entitled, "*An Act to provide for the setting apart, formation and disbursement of a Police Pension Fund in cities having a population exceeding two hundred thousand inhabitants,*" approved June 29, 1915, in force July 1, 1915, be and the same are hereby amended so as to read respectively as follows:

§ 3. Whenever any person shall have been or shall hereafter be appointed and sworn as a probationary or regular policeman in any such city, and shall have served for a period of twenty (20) years or more as such policeman in the police force of any such city, or where the combined years of service of such person in the police department and fire department of any such city shall aggregate twenty (20) years or more, in either such case when such person shall have arrived at the age of fifty (50) or more years he may make application to said board for retirement, and said board shall order and direct that such policeman, after his retirement from the police force, shall be paid a yearly pension:

(A) Equal to one-half of the amount of the salary attached to the rank which he may have held in said police force for one year immediately prior to the time of his retirement from the police force: *Provided, however,* that the maximum sum for such pension shall not exceed the sum of one thousand three hundred (\$1,300) dollars per annum to any one person who retires as general superintendent of police, or one thousand one hundred and fifty (\$1,150) dollars per annum to any person who retires as first deputy superintendent of police or one thousand, one hundred (\$1,100) dollars per annum to any person who retires as captain of police, or one thousand (\$1,000) dollars to any person who retires as a lieutenant of police, and the maximum sum for all other persons retiring shall not exceed the sum of nine hundred (\$900) dollars per annum and the minimum be not less than six hundred (\$600) dollars per annum, and notwithstanding any provision contained in this Act or the Act to which this is an amendment, the pension to be paid from and after the date of the passage of this Act to any person occupying the position of officer of captain of police or a position or office superior in rank thereto, who has been heretofore retired, voluntarily or otherwise, from the department and is now receiving the benefits of the Act to which this is an amendment and of this Act, shall be one thousand (\$1,000) dollars per annum.

(B) After the death of any such policeman, his widow, in case the marriage of such policeman shall have taken place more than one year prior to the time a pension is granted him hereunder, shall receive a pension of fifty (\$50.00) dollars per month and an additional sum of ten (\$10.00) dollars per month for each of his children under eighteen (18) years of age. Should any such child cease attending school between the age of fourteen (14) and eighteen (18) years, the aforesaid sum shall be reduced to five (\$5.00) dollars per month.

Should any policeman pensioned hereunder leave no widow surviving him, or should his widow die before his children arrive at the age of eighteen (18) years, each child shall receive, while regularly attending school, the sum of fifteen (\$15.00) dollars per month. Pensions paid to children shall cease as to any such child upon his or her arriving at the age of eighteen (18) years.

Any such policeman of any such city who shall have served as aforesaid for a period of twenty (20) years and who has not yet reached the age of fifty (50) years may make application to said board for retirement, and any such policeman may retire forthwith. In case such policeman shall make monthly contributions to the pension fund of a sum equal to twice the amount deducted from his wages under section 9 hereof, the said board shall order and direct that upon said policeman arriving at the age of fifty (50) years he be paid the amount specified aforesaid under the paragraph designated "A," and that upon his death, either before or after his arriving at the age of fifty (50) years, his widow or children be paid the amount specified aforesaid under the paragraph designated "B," subject to the limitations therein contained. Notwithstanding any provision contained in this Act or the Act to which this is an amendment, no pension shall be granted to any policeman

after March 1, 1917, unless such policeman shall be qualified for retirement or for a pension as in this Act provided; the intention being that the terms and conditions of retirement and of the granting of pensions for such policemen under this section shall be retroactive in their effect, and shall relate to all applicants for pensions after the date aforesaid. In case any pension shall have been granted after said date, contrary to this Act, such pension shall at once cease and determine and the policeman to whom such pension shall have been granted shall thereupon be reinstated in the department and in the rank held by him at the time of his retirement.

§ 4. Whenever any person who has been appointed and sworn as a regular or probationary member of any such police force shall at any time become physically disabled while in, and in consequence of, the performance of police duty, said board upon his written request, or without such request, upon the recommendation of the commanding officer of police or head of the police department may retire such policeman from actual service, and order and direct that he be paid from such fund a yearly pension not exceeding one-half of the amount of the salary attached to the rank which he may have held in said police force at the time of his retirement.

Provided however, that the maximum sum of such pension shall not exceed the sum of one thousand three hundred (\$1,300) dollars per annum to any person who retires as general superintendent of police, or one thousand one hundred and fifty (\$1,150) dollars per annum to any person who retires as first deputy superintendent of police or one thousand, one hundred (\$1,100) dollars per annum to any person who retires as a captain of police, or one thousand (\$1,000) dollars to any person who retires as a lieutenant of police, and the maximum sum for all other persons retiring shall not exceed the sum of nine hundred (\$900) dollars per annum, and the minimum be not less than six hundred (\$600) dollars per annum. Notwithstanding any provision contained in this Act or the Act to which this is an amendment, the pension to be paid from and after the date of the passage of this Act to any person occupying the position or office or [of] captain of police or a position or office superior in rank thereto, who has heretofore retired from the department and is now receiving the benefits of this Act to which this is an amendment and of this Act, shall be one thousand (\$1,000) dollars per annum.

Provided, however, that whenever such disability shall cease, such pension shall cease, and such person shall thereupon be reinstated in the department in the rank held by him at the time of his retirement. On the death of any person so retired, his widow, provided the marriage of such policeman shall have taken place prior to the date of becoming so disabled, or child or children under the age of eighteen (18) years of such deceased pensioner, shall be paid the pensions specified aforesaid in section 3 hereof under the paragraph designated "B," subject to the limitations therein contained.

No policeman shall be retired as provided in this section or receive any benefit from such fund unless there shall be filed with said board certificates of his disability, which shall be subscribed and sworn to by

said person and by the commanding officer of police and by two practicing physicians of such city, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid. Any policeman retired for disability under this Act shall be summoned by said board at least once a year for examination by one or more practicing physicians selected by such board, and such physician or physicians shall report to said board the condition of said policeman with reference to the disability, and such board shall discontinue payment of pension to such policeman if such disability has ceased.

§ 5. Whenever any person who has been appointed and sworn as a regular or probationary member of any such police force shall while in, and in consequence of, any performance of police duty, lose his life or receive injuries from which he shall thereafter die, leaving a widow or child or children under the age of eighteen (18) years, then, upon satisfactory proof being made to it, such board shall order and direct that the pension described in section 3 hereof to be paid to the widows and children shall be paid to such widow and such child or children, subject to the limitations contained in said section 3.

Whenever any policeman shall die from causes other than those referred to in the preceding paragraph of this section, or be legally adjudged insane, and at such time shall have a wife (whom he has married more than two (2) months prior to his demise, or date upon which he shall be legally declared to be insane) or child or children under the age of eighteen (18) years, then, upon satisfactory proof of such facts made to it, said board shall order and direct that a monthly pension of a sum produced by multiplying the number of years of service (including the year during which such policeman shall die or become insane) by two and one-half ($2\frac{1}{2}$), be paid to his widow or wife: *Provided, however*, that such pension shall not exceed fifty (\$50.00) dollars per month. Each child of such deceased or insane policeman shall receive a pension as provided in section three (3) of this Act.

If at any time it be declared, in the manner provided by law, that any policeman becoming insane is restored to reason, then the pension granted on account of his insanity shall cease, and such person shall, in the discretion of such board, be reinstated in the police department in the rank held by him at the time he was legally adjudged to be insane: *And, provided, further*, that such pension shall cease if such person shall leave or be taken outside of the State of Illinois. Notwithstanding any provision contained in this Act or the Act to which this is an amendment, the pensions to be paid from and after the going into effect of this Act, to any pensioner or widow now receiving a pension, or entitled thereto, shall not be less than six hundred (\$600) dollars per annum.

§ 6. Whenever any person who shall have received any benefit under this Act shall be convicted of a felony or shall become an habitual drunkard or a non-resident of the United States, or whenever any policeman shall fail to submit himself for examination as to fitness for duty, as provided for in section 4 hereof, or shall disobey the requirements of said board in respect to said examination, then said board shall order that such pension allowance as may have been granted to such

policeman shall cease and determine, and such policeman shall receive no further pension allowance or benefit under this Act.

Should any policeman or his heirs receive any compensation or allowance from any such city under or in pursuance of the law known as the Workmen's Compensation Act or any other similar Act, the pensions herein provided for shall be reduced by the amounts so received by such policeman or his heirs, if such compensation or allowance be payable in installments. If payable otherwise, no pension shall be granted to any such policeman, his widow, child or children until such time as they, or any of them, would have received an equal amount of money under the terms of this Act, were such other compensation or allowance not awarded them or any of them.

In case the widow of any policeman pensioned hereunder shall marry, the pension heretofore granted her shall at once cease and determine. No pension shall be paid for or on account of any such child attending school unless there shall be filed with the clerk of said board, at least once every six months, a certificate, signed by the principal or person in charge of the school attended by such child, stating that such child is a regular attendant of such school.

No pension shall be granted to any policeman, his widow or children, or to the widow or children of any pensioned policeman, unless an application therefor is filed with said board within one year from and after the date of the retirement or death of such policeman or death of such pensioned policeman.

No adopted child shall be entitled to any benefits under this Act.

This amendatory Act shall not be taken, deemed or construed as retroactive, and neither the pensions granted under the Act to which this is an amendment, nor the amounts thereof, shall in any wise be affected except as is specifically provided for in this amendatory Act.

§ 7. Whenever the word "policeman," as used in this Act appears, the same shall be interpreted and construed to mean and to include the following:

Any person who has been appointed and sworn or designated by law as a policeman, and has served in a regularly constituted police department as a policeman, or police patrol driver or police operator, police dog catcher or police kennelmen and a member of the police force thereof, and contributed to the Police Pension Fund for such time as he has been in the service of such police department as a policeman, or police patrol driver or police operator or police dog catcher or police kennelmen; the intention being that all policemen or police patrol drivers or police operators police dog catcher or police kennelman who have so contributed to the police pension fund (their widows and children entitled thereto) shall be entitled to any of the benefits of any pension law in force and effect when this Act, in cities within its terms, shall supersede an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as subsequently amended.

§ 9. Said Pension Fund shall consist of amounts of two and one-half ($2\frac{1}{2}\%$) per cent, retained or deducted by the comptroller of any such city from the salary or wages payable monthly to each policeman and such other sums as are hereinafter referred to.

It shall be the duty of the Superintendent of Insurance of the State of Illinois to determine the amount of money necessary to be provided annually for the purpose of:

(A) Paying pensions granted under the Act superseded by this Act.

(B) Paying pensions to policemen (their widows and children entitled thereto), members of the police force, prior to January 1, 1916; and

(C) Establishing and maintaining a reserve fund for the payment of pensions to policemen (their widows and children) becoming members of the police force subsequent to January 1, 1916.

Such Superintendent of Insurance shall report his findings to the board on or before the first day of November of each year, beginning November 1, 1917.

The board shall certify to the city council of such city, on or before the first day of December, annually, beginning December 1, 1917.

First. The assets in their custody at such time.

Second. The estimated receipts during the next succeeding year (from January 1st to December 31st) from deductions from the salary of policemen, as hereinabove provided, and from all other sources.

Third. The estimated amount required during said period for:

(A) Paying pensions granted under the Act superseded by this Act.

(B) Paying pensions to policemen (their widows and children entitled thereto) members of the police force prior to January 1, 1916, and

(C) Establishing and maintaining a reserve fund for the payment of pensions to policemen (their widows and children) becoming members of the police force subsequent to January 1, 1916.

It shall be lawful for any such city to levy a tax of not more than nine-tenths of a mill on the dollar on all taxable property of such city in such sum as will, when added to the deductions from the salary or wages of policemen and receipts available from other sources, as hereinbefore referred to, amount to sufficient income to meet the actual requirements above referred to and designated (A), (B) and (C). Said taxes shall be levied and collected in like manner with the general taxes of such city and the fund arising therefrom shall be known as "Police Pension Fund"; which said tax shall be in addition to all other taxes which such city is now or hereafter may be authorized to levy upon the aggregate valuation of all property within such city, and the county clerk of the county in which such city is located in reducing tax levies under the provisions of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the tax for said police pension fund authorized by this Act as a part of the general tax levy for city purposes, and shall not include the same in the limitation of three per

cent of the assessed valuation upon which taxes are required to be extended.

The city council of such city shall thereafter annually include and appropriate from such fund in the appropriation bill such sum or sums of money as may be necessary to meet the annual requirements above referred to and designated (A), (B) and (C).

Should there be insufficient funds to meet the requirements of this Act during any year, such city may issue and dispose of tax anticipation warrants as provided by law against the tax levy for the current fiscal year.

In the event that such city shall during any year fail, neglect or refuse to provide for the levy and collection of the aforesaid tax, then there shall be set apart annually from the revenue collected or received by such city from licenses issued by such city authorizing persons and corporations to engage in any business, profession or occupation within the corporate limits of such city, excepting public utilities, a sum which, when added to the deductions from the salary or wages of policemen above referred to and receipts available from other sources, will amount to a sufficient income to meet the annual requirements above referred to and designated (A), (B) and (C).

All moneys collected by taxation or from licenses, as the case may be, shall be transferred to the board as hereinafter provided, and any excess remaining at the end of the fiscal year in the possession of said board shall be credited to the fund for the ensuing year; any deficit shall be provided for during such ensuing year.

All moneys, bonds or assets of any nature and description in the possession of the board of trustees of the Police Pension Fund of any city having a population exceeding two hundred thousand (\$200,000) inhabitants included in the Act which is superseded by this Act, or to which such board may be by law entitled, shall, upon the taking effect of this Act, become the property of the board of trustees of the Police Pension Fund hereby created; whereupon said board first above referred to shall be and hereby is dissolved and abrogated: *Provided, however,* that all revenue which said board so abrogated would have been by law entitled to between June 30, 1915 and January 1, 1916, had not this Act become operative, shall be paid to and become the property of said board of trustees hereby created for the uses and purposes herein set forth: *And, provided, further,* that all legal proceedings instituted by, or in the name of, or against said board, shall be continued without abatement either in the name of said board or in the name by which they are instituted and concluded.

Said board shall submit a report, at least once each year, to the Superintendent of Insurance of this State, and the said Superintendent of Insurance shall prescribe the form of such reports, the matter which they shall contain, and the time when they shall be submitted, and said Superintendent of Insurance shall report the information so submitted, or a comprehensive summary thereof, to the Governor of this State at least once each year. The said Superintendent of Insurance shall also

prescribe a system of records and accounting to be used in the management of this fund.

FILED June 14, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this fourteenth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

POLICE MAGISTRATES—ELECTION.

- § 1. Election and term of office—jurisdiction—cities under commission form of government. § 2. Emergency.

(SENATE BILL NO. 222. APPROVED APRIL 2, 1917.)

AN ACT to amend an Act entitled, "*An Act to authorize the election of police magistrates in towns, cities and villages where the same are not now provided for by law,*" approved and in force April 13, 1875, and as amended by Act approved May 24, 1907 and in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,[:]* That all towns, cities and villages in the State which have been incorporated under charters granted by special Acts or under a general Act, when the law under which they are incorporated does not authorize the election of a police magistrate, be and they are hereby authorized to elect one police magistrate at the first annual election of town, city or village officers that shall occur after the passage of this Act, and quadrennial[ly] thereafter. Such police magistrates shall hold their offices for the same term, be commissioned and qualified, and have the same jurisdiction and fees as police magistrates of villages have under the general law for the incorporation of cities and villages: *Provided*, that in all cities, towns and villages in this State where a police magistrate is now elected at a time when no regular city election is held for other city officers, the police magistrate elected at the last election shall hold his office until the next regular election of city officers which shall occur after the expiration of the present term for which such police magistrate has been elected, and such cities be and they are hereby authorized to elect one police magistrate at the first regular election for city officers which shall occur after the expiration of the term of office for which the magistrate now holding office is elected, and every four years thereafter: *Provided, however*, that in all cities and villages which have adopted "the Commission Form of Municipal Government," as provided by the statutes of this State, where a police magistrate is now elected at a time when no regular city election is held for the election of a mayor and commissioners the police magistrate elected at the last election shall hold his office until the next regular election of mayor and commissioners, which shall occur after the expiration of the present term for which such police magistrate has been elected, and such cities and villages be, and they are hereby authorized to elect one police magistrate at the first regular election for mayor and commissioners which shall occur after the expiration of the term of office for which the police magistrate now holding office is elected, and every four years thereafter.

§ 2. WHEREAS, an emergency exists, as the terms of office of certain police magistrates are about to expire in cities having adopted the commission form of municipal government, which would make necessary special elections in such cities at a large expense to the taxpayers, therefore this Act shall take effect and be in force from and after its passage.

APPROVED April 2, 1917.

POLICE PENSION FUND IN CITIES OF 5,000 TO 100,000.

§ 1. Amends title and section 1, Act of 1909.

§ 1. Title — what moneys set apart

(HOUSE BILL No. 865. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the setting apart, formation and disbursement of a Police Pension Fund in cities, villages and incorporated towns in the State of Illinois, having a population of not less than 9,000 and not more than 50,000 inhabitants,*" approved June 14, 1909, in force July 1, 1909, as subsequently amended, by amending the title and section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to provide for the setting apart, formation and disbursement of a Police Pension Fund in cities, villages and incorporated towns in the State of Illinois having a population of not less than 9,000 and not more than 50,000 inhabitants,*" approved June 14, 1909, in force July 1, 1909, as subsequently amended, be, and the same is hereby amended by amending the title and section one (1) thereof to read as follows:

§ 1. That in all cities, villages and incorporated towns having a population of not less than 5,000 and not more than 100,000 inhabitants, said population to be determined by the United States Government statistics, there shall be set apart the following moneys to constitute a Police Pension Fund.

First—Three-fourths of all moneys received for licenses upon dogs.

Second—Two-per cent of all moneys received from licenses for the keeping of saloons, dramshops and wholesale liquor houses.

Third—All moneys received for special detail of police officers.

Fourth—Ten per cent of all fines collected for violation of city ordinances.

Fifth—One per cent per month, which shall be paid or deducted from the pension of every police pensioner of such city, village or town.

Sixth—All moneys received from fines imposed upon members of the police department of such city, village or town for violation of the rules and regulations of the police department.

Seventh—All rewards given or paid to members of such police force except such as shall be excepted by the board of trustees of the Police Pension Fund: *Provided*, this provision shall not apply to cities that have not adopted civil service in the police department.

Eighth—One per cent per month, which shall be paid or deducted from the salary of each and every member of the police department of such city, village or incorporated town: *Provided, however*, the sum so

received shall in no case exceed one dollar (\$1.00): *Provided*, that this provision shall not apply to cities that have not adopted civil service in the police department.

Ninth—Ten per cent of all revenues collected from licenses by such city, village or incorporated town not heretofore mentioned in this bill.

Tenth—All moneys that may have been accumulated by such city, village or town in conformity with any previous legislation establishing a fund for the benefit of disabled or superannuated policemen, and one-half of all the funds accumulated in any such city, village or town for the benefit of disabled or superannuated police or firemen by virtue of any previous legislation; *Provided, however*, there shall not be collected in any city, village or incorporated town in any year more than two thousand five hundred dollars (\$2,500) and should it be necessary to reduce the collections as above provided, the reduction shall be made from the amount collected from dramshop licenses.

Eleventh—The city council or board of trustees of any such city, village or incorporated town shall levy a tax for a period of three (3) years, beginning with the year 1918, not to exceed three-tenths of a mill on the dollar on all taxable property of such city, village or incorporated town. Such tax shall be levied and collected in like manner with the general taxes of such city, village or incorporated town and shall be in addition to all other taxes which such city, village or incorporated town is now or hereafter may be authorized to levy upon the aggregate valuation of all property within such city, village or incorporated town. The county clerk in reducing the tax levies under the provisions of section 2 of an Act entitled: "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the tax herein authorized as a part of the general taxes levied for city, village or incorporated town purposes and shall not include the same in the limitation of three per cent of the assessed valuation upon which taxes are required to be extended. Said tax, when collected, shall be paid in to the police pension fund as a part thereof.

§ 2. The title of said Act shall be amended to read as follows: "An Act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns in the State of Illinois, having a population of not less than 5,000 and not more than 100,000 inhabitants.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

POWERS AND DUTIES.

§ 1. Amends sections 22 and 23 of, Act of 1872.

§ 23. Council — powers and duties—departments.

§ 22. Council—quorum—voting—mayor to preside.

(HOUSE BILL No. 486. APPROVED JUNE 25, 1917.)

AN ACT to amend and revise sections twenty-two (22) and twenty-three (23) of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII," approved March 9, 1910, in force July 1, 1910.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections twenty-two (22) and twenty-three (23) of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII," approved March 9, 1910, in force July 1, 1910, be amended and revised so that said section shall read as follows:

§ 22. COUNCIL — QUORUM — VOTING — MAYOR TO PRESIDE.] Every such city or village shall be governed by a council, consisting of the mayor and four commissioners, as provided in this Act, each of whom shall have the right to vote on all questions coming before the council. Three members of the council shall constitute a quorum, and the affirmative vote of three members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is provided for by this Act.

Upon every vote the "yeas" and "nays" shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before a vote is taken thereon, and all the commissioners, including the mayor, present at any meeting shall vote thereon.

The mayor shall preside at all meetings of the council. He shall have no power to veto any measure, motion, resolution or ordinance, but every resolution, ordinance, measure or warrant adopted, passed or ordered by the council must be signed by the mayor, or by two commissioners, and all ordinances and resolutions recorded, before the same shall be in full force.

§ 23. COUNCIL, POWERS AND DUTIES—FIVE DEPARTMENTS.] The council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had, possessed and exercised by the mayor, city council, president and board of trustees of villages, board of library trustees, city clerk, city attorney, city engineer, city treasurer, city comptroller and other executive, legislative and administrative officers in cities or villages now or hereinafter organized and incorporated under the General Incorporation Law of the State of Illinois for the incorporation of cities and villages, and the council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had,

possessed and exercised by the board of local improvements, provided for, in and by an Act entitled, 'An Act concerning local improvements,' approved June 14, 1897, in force July 1, 1897, and all Acts amendatory thereto and in all such cities and villages that shall hereafter adopt this Act, or that shall have heretofore adopted this Act, in enforcing said Act, concerning local improvements, herein set out, the person who spreads assessments shall be selected in each case by a majority vote of said council and its members, and all local improvements, contracts and bonds or warrants issued in pursuance thereof, or either of them, may and shall be signed by the mayor or by any three members of the council, *provided, however*, that nothing contained in this Act shall in any way extend or pertain to or affect any public school law in operation in any municipality which may adopt this Act, anything in this present Act contained to the contrary notwithstanding.

The executive and administrative powers, authority and duties in such cities and villages shall be distributed into and among five departments, as follows:

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public health and safety.
4. Department of streets and public improvements.
5. Department of public property.

The council shall, by ordinance, determine the powers and duties of, and to be performed by, each department and assign them to the appropriate departments; shall prescribe the powers and duties of officers and employees and may assign to one or more of the departments; may require an officer or employee to perform duties in two or more departments, and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city or village.

APPROVED June 25, 1917.

SANITARY DISTRICT OF CHICAGO ENLARGED.

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| § 1. Extends limits of district to embrace bonds described. | § 2. Submission of question of adoption of Act to voters. |
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(HOUSE BILL NO. 140. APPROVED MAY 5, 1917.)

AN ACT *to enlarge the corporate limits of the sanitary district of Chicago.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the corporate limits of the sanitary district of Chicago are hereby extended so as to embrace and include within the same, the territory and tracts of land situated in the county of Cook and State of Illinois, hereinafter described as follows:

All that part of fractional sections fourteen (14) [,] twenty-two (22) and twenty-three (23) in township thirty-six (36) north, range thirteen (13) east of the third principal meridian lying north of the Indian boundary line in the township of Bremen, in the county of Cook and State of Illinois.

§ 2. If within one hundred and twenty (120) days after the passage of this Act a petition, signed by not less than ten (10) per cent of the legal voters within the above described territory, praying that the question of the adoption of this Act shall be submitted to a vote of the electors of said territory, shall be filed with the clerk of said sanitary district, then and in such case the question of the adoption of this Act shall be submitted to a vote of the said electors, as in said petition prayed, at any general or municipal election held after the adoption of this Act, and in such case, this Act shall not be in force unless a majority of the votes cast at said election, upon the question of the adoption of this Act, shall be in favor of the adoption thereof.

It shall be the duty of the election officers having charge of the preparation of the ballots and the giving of the notices of election and of the counting and canvassing and making returns of the ballots, to take all necessary steps and do all necessary acts to cause the said question of the adoption of this Act to be submitted to a vote as hereinbefore provided, and to cause the result of such election to be canvassed and certified, as provided by law in other similar cases.

APPROVED May 5, 1917.

TOWN OFFICERS—CITIES OF 25,000 AND OVER.

§ 1. Assessor, collector and supervisor—
election—vacancy.

§ 2. Repeal.

(HOUSE BILL No. 181. APPROVED JUNE 14, 1917.)

AN ACT *in relation to the offices of assessor, collector and supervisor, in incorporated towns having a population of 25,000 and over by the last school census.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That at the regular election to be held in the year 1920 for the municipal offices in every incorporated town, having a population of 25,000 and over by the last school census and not before, and every four (4) years thereafter, at such municipal election, there shall be elected an assessor, collector and supervisor of said incorporated town, to hold office for the term of four (4) years, and until their successors are elected and qualified. Whenever a vacancy shall occur in the office of assessor, collector or supervisor, elected hereunder, during the first year hereof, such vacancy shall be filled for the remainder of the term at the next annual election in such municipality, and during the period from any time a vacancy occurs, until any assessor, collector or supervisor is elected and qualified, such vacancy may be filled by appointment by the president and board of trustees of such incorporated town.

§ 2. All Acts or parts of Acts in conflict herewith, are hereby repealed.

APPROVED June 14, 1917.

TUBERCULOSIS SANITARIUMS.

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| <p>§ 1. Amends said Act, by adding thereto sections 16, 17, 18, 19 and 20.</p> <p>§ 16. Cities and villages of less than 100,000 may levy not to exceed two mills on the dollar.</p> <p>§ 17. Board of directors—necessity and amount to be levied.</p> | <p>§ 18. City council or board of trustees shall make levy on recommendation of board.</p> <p>§ 19. Ordinance to be submitted to electors of adoption.</p> <p>§ 20. Form of ballot.</p> |
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(SENATE BILL NO. 461. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "*An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums*," approved March 7, 1908, in force July 1, 1908, and as subsequently amended, by the Act approved June 28, 1915, in force July 1, 1915, by adding to said Act five (5) new sections to be numbered 16, 17, 18, 19 and 20 respectively.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums*," approved March 7, 1908, in force July 1, 1908, and as subsequently amended, by the Act approved June 28, 1915, in force July 1, 1915, be, and the same is hereby amended, by adding to said Act, five (5) new sections to be numbered 16, 17, 18, 19 and 20 respectively, which sections so added shall read as follows:

§ 16. Where a tuberculosis sanitarium, organized under the provisions of this Act, is being maintained in any city or village of less than one hundred thousand inhabitants, the tax levy for the support of such sanitarium, so maintained may be increased to a sum not to exceed two mills on the dollar, and when so increased shall be levied and collected as hereinbefore provided.

§ 17. The board of directors of such tuberculosis sanitarium so maintained, shall determine the necessity of such increased tax levy; and when the same is deemed necessary the board shall recommend in writing to the city council or board of trustees, as the case may be, the necessity of such increased tax levy and the number of mills tax desired to be levied.

§ 18. Whenever the board of directors of any sanitarium so established and maintained, shall recommend in writing an increased tax levy to the city council or board of trustees, as the case may be, the city council or board of trustees, as the case may be, the city council or board of trustees shall pass an ordinance for the establishment and levy of such increased tax so recommended.

§ 19. Whenever any ordinance is passed to increase the tax levy for any sanitarium so maintained, the said ordinance or resolution shall be submitted to the voters of such city or village, as the case may be, at the next succeeding general or special election, or at any election called for that purpose, and the said ordinance or resolution shall become operative, effective and valid if approved by a majority of the voters voting upon the question.

§ 20. Such ordinance shall be printed on a ballot in full,* which shall be separate, and distinct from the ballot for candidates for office. The proposition upon the ballot to be used for any such election in voting under this Act, shall be substantially in the following form:

For the increase of the tax levy for maintaining the tuberculosis sanitarium to mills on the dollar as provided in ordinance number	
Against the increase of the tax levy for maintaining the tuberculosis sanitarium to mills on the dollar as provided in ordinance number	

APPROVED June 22, 1917.

TUBERCULOSIS SANITARIUMS.

§ 1. Amends section 6, Act of 1908.

§ 6. Provides for appointments and removals of matrons and other assistants in accordance with Civil Service Law of such city or village.

(HOUSE BILL NO. 93. APPROVED JUNE 27, 1917.)

AN ACT to amend section 6 of "An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums," approved March 7, 1908, in force July 1, 1908, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 6 of an Act entitled, "An Act to enable cities and villages to establish and maintain public tuberculosis sanitariums," approved March 7, 1908, in force July 1, 1908, as amended, be amended to read as follows:

§ 6. Said directors shall, immediately after appointment, meet and organize by the election of one of their number president and one as secretary and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the sanitarium and the branches, dispensaries and auxiliary institutions and activities connected therewith as may be expedient, not inconsistent with this Act and the ordinances of such city or village. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the tuberculosis sanitarium fund and of the construction of any sanitarium building or other buildings necessary for its branches, dispensaries and other auxiliary institutions and activities in connection with said institution, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose: *Provided*, that all moneys received for such sanitarium shall be deposited in the treasury of said village or city to the credit of the tuberculosis sanitarium fund, and shall not be used for any other purpose and shall be

drawn upon by the proper officer of said city or village upon the properly authenticated vouchers of the sanitarium board. Said board shall have the power to purchase or lease ground within or without the limits of such city or village, and to occupy, lease or erect an appropriate building or buildings for the use of said sanitarium, branches, dispensaries and other auxiliary institutions and activities connected therewith, by and with the approval of the city council or board of trustees as the case may be; and shall have the power to appoint suitable superintendents or matrons or both and all necessary assistants and other employees and fix their compensation, and shall also have the power to remove such appointees, and shall in general carry out the spirit and intent of this Act in establishing and maintaining a public sanitarium, and one or all of said directors shall visit and examine said sanitarium at least twice in each month and make monthly reports of its condition to the city council or board of trustees, as the case may be. In any city which has adopted or hereafter shall adopt the civil service law for cities entitled, "An Act to regulate the civil service of cities, approved March 20, 1895, all appointments with the exception of superintendents and all removals of all matrons and other assistants shall be made pursuant to the provisions of said civil service law and not otherwise; *provided* that where in any city any persons are occupying any of said positions pursuant to appointment and certification thereon by the civil service commission of such city made after examination, such persons shall hold said positions as though duly appointed after examination under the provisions of said civil service law, and all other matrons, and assistants not so appointed after examination shall have the status of temporary appointees under said civil service law. All officers and employees of any such public tuberculosis sanitarium shall severally be deemed officers or employees as the case may be, of the city or village in which such sanitarium is established.

APPROVED June 27, 1917.

CIVIL SERVICE.

STATE—ACT OF 1905 AMENDED.

§ 1. Amends sections 11 and 12, Act of 1905.

§ 11. Classified service — what officers and employees not included.

§ 12. Removal, discharge or reduction in rank—statement of cause in writing—hearing by Civil Service Commission—jurisdiction.

(SENATE BILL NO. 315. APPROVED JUNE 14, 1917.)

AN ACT to amend sections 11 and 12 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905, as subsequently amended:

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 11 and 12 of an Act entitled, "An Act to regulate the civil service of the State of

Illinois," approved May 11, 1905, in force July 1, 1905, as subsequently amended, be and the same are hereby amended to read as follows:

§ 11. The following officers, positions and places of employment shall be exempt from the classified civil service of the State:

(1) All officers elected by the people.

(2) All judges and officers appointed by judges of any court, clerks of court, all officers and employees of the General Assembly or either House thereof, and notaries public.

(3) All offices, positions and places of employment in the military service of the State.

(4) All notaries public.

(5) All officers appointed by the Governor by and with the advice and consent of the Senate.

(6) One private secretary and one stenographer for each elective officer in the executive department, and one private secretary for each director of a department created by the Civil Administrative Code of Illinois, for the president of each State normal school and for the president and each dean of the University of Illinois.

(7) All regular and special Assistants Attorneys General, all law clerks, special investigators and all special attorneys employed by the Attorney General, including the inheritance tax attorney of Cook County and assistant inheritance tax attorneys of Cook County.

(8) All presidents, deans, principals, professors, instructors, scientific staff and other teachers of the University of Illinois and of the State normal schools.

(9) All employees at the executive mansion.

(10) The superintendent and assistant superintendent of capital building and grounds.

(11) All bank examiners, examiners of building and loan associations, insurance actuaries and examiners of insurance companies.

(12) All superintendents, wardens and chaplains in the State charitable, penal and correctional institutions.

(13) All clerks, watchmen and policemen employed in the offices of the elective officers in the executive department.

In the University of Illinois and in the State normal schools, students may be employed under the rules of the Civil Service Commission without examination or certification.

§ 12. No employee in the classified civil service of the State shall be removed, discharged or reduced in rank or pay by the appointing officer, except for just cause. The term "just cause" as used in this section—shall mean any cause which is detrimental to the public service other than political, racial or religious.

In every case of removal, discharge or reduction, a statement of the cause therefor shall be set forth in writing, which statement shall be in duplicate, and shall be signed by the appointing officer. One copy of said statement shall be delivered personally to the employee and the other copy of said statement shall be filed in the office of the Civil Service Commission, with a notation thereon showing proof of service of a copy of said statement upon the employee. Upon the filing of a copy of said

statement with the notation aforesaid, in the office of the Civil Service Commission, the removal, discharge or reduction shall immediately become effective.

Whenever an employee who has been removed, discharged or reduced shall file with the Civil Service Commission, within five days after his removal, discharge or reduction, a statement in writing, alleging that his removal, discharge or reduction was made for political, racial or religious causes, and that he believes that upon a hearing he will be able to establish such a fact, it shall be the duty of the Commission to order a hearing. The time and place of such hearing shall be fixed by the Commission and due notice thereof given to the appointing officer and the employee.

Upon such hearing the Commission shall determine and decide whether or not the removal, discharge or reduction was made for political, racial or religious causes, and the Commission shall have no jurisdiction or authority to review, consider or determine any other question.

Upon such hearing, each member of the Civil Service Commission shall have power to administer oaths and to secure, by the subpoena of the Commission, the attendance and testimony of witnesses and the production of books and papers.

If, upon such hearing, the Commission shall find that the removal, discharge or reduction was made for political, racial or religious causes, it shall enter an order reinstating the employee in his former position and directing the payment of all back salary due. If the Commission shall find that the removal, discharge or reduction was not made for political, racial or religious causes, it shall enter an order to that effect, and the removal, discharge or reduction shall stand and be final.

APPROVED June 14th, 1917.

CONVEYANCES.

LAND TITLES.

§ 1. Amends section 55, Act of 1897.

§ 55. Where transfers registered
— sale and redemption
for taxes.

(HOUSE BILL NO. 328. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, be and the same is hereby amended by amending section (55) thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, be and the same is hereby amended by amending section (55) thereof so that the said section when, and as amended, shall read as hereinafter provided:

§ 55. No transfer of title to land, or any estate or interest therein, or mortgage, shall be registered until it shall be made to appear to the registrar that the land has not been sold for any tax or assessment upon which a deed has been given, and the title is outstanding or upon which a deed may thereafter be given, and that the dower, right of dower and

estate of homestead, if any, have been released or extinguished, or that the transfer or mortgage is intended to be subject thereto, in which case it shall be so stated in the certificate of title.

Provided then [that] when the land has been sold for taxes and a deed has been given and the court has accreed the amount to be paid prior to final registration and such amount has been paid into the hands of the clerk of the court, it shall be the duty of such clerk to issue a certificate showing that the order of the court has been complied with in regard to the payment for such taxes and deed. And said certificate when recorded with the recorder of deeds shall act as a satisfaction in full and an extinguishment of any and all liens created by said tax sale and the giving of said deed.

APPROVED June 25, 1917.

CORPORATIONS.

ANNUAL REPORT TO SECRETARY OF STATE.

§ 1. Amends section 7, Act of 1901.

§ 7. Corporations fail to make report — proceedings for dissolution — application for reinstatement—fee.

(HOUSE BILL No. 184. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "An Act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of the articles of incorporation for failure to do so, and to repeal a certain Act therein named," approved May 10, 1901, in force July 1, 1901, and amendments thereto, in force July 1, 1903, by amending section seven (7) thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of the articles of incorporation for failure to do so, and to repeal a certain Act therein named," approved May 10, 1901, in force July 1, 1901, and amendments thereto, in force July 1, 1903, be and the same is hereby amended by amending section seven (7) thereof so that said section, when amended, shall read as follows:

§ 7. It is further provided that any corporation which is pursuing an active business under its charter, failing to make said report at the time provided by law, may at any time within one year from such default be reinstated upon the records in the office of the Secretary of State, upon the payment of a fee in the sum of \$20 for such reinstatement, and filing in said office an affidavit stating all the facts required in section two of this Act, and in addition thereto the fact that it was at the time of such default, and still is, engaged in active business under its charter: *Provided, further*, that on or before the first day of July of each year, the Secretary of State shall certify the names of all corporations that have failed to file in the office of the Secretary of State an application for reinstatement within one year from date of default, together with the

facts in relation thereto, to the Attorney General, whose duty it shall be to direct the State's attorney of the county wherein such corporation or corporations are located, and it is hereby made the duty of the State's attorney, under the direction of the Attorney General, at the earliest practicable moment, in the name of the People of the State of Illinois, and at the relation of the Attorney General, to institute proceedings for the dissolution of such corporation or corporations for abandonment and non-user of its charter, and be it further provided, that said certificate from the Secretary of State to the Attorney General shall be taken and received in all courts and places as *prima facie* evidence of the facts therein stated. *Provided*, that before instituting suit the State's attorney shall mail to the corporation or corporations at last known address of the corporation, as given in said certificate, a notice of the fact that a suit will be instituted to dissolve said corporation unless an application for reinstatement, accompanied by the fee heretofore mentioned in this section, is filed in the office of the Secretary of State within thirty days from the date of said notice. It shall be the duty of the Secretary of State upon the filing of said application for reinstatement, accompanied by said fee, by any corporation certified by him to the Attorney General, to notify the State's attorney of the proper county of the fact of the filing of said application for reinstatement. At the expiration of the said thirty days, the State's attorney shall proceed to dissolve any such corporation that has not filed an application for reinstatement, as provided by the provisions of this section. But if it shall appear, upon the hearing, that said corporation is pursuing an active business under its charter, then, upon payment to the Secretary of State of the sum of \$50 and all costs that have accumulated in the prosecution of the suit, the charter shall be restored. Otherwise, a decree of dissolution shall be entered against said corporation by an appropriate judgment of the court for abandonment and non-user of its charter.

APPROVED June 11, 1917.

BLUE SKY LAW.

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| <p>§ 1. No dealer is to sell or advertise for sale securities without being licensed—definition of "Dealers"—Secretary of State to have necessary power to enforce Act.</p> <p>§ 2. No dealer to sell securities until required information has been filed—No dealer to sell securities disapproved by Secretary of State.</p> <p>§ 3. Certain securities exempt from operation of Act.</p> <p>§ 4. Sales of securities by owner conditionally exempt from operation of Act.</p> <p>§ 5. Application for license—fee \$10.00.</p> <p>§ 6. Secretary of State to examine papers filed and affairs of applicant—corporations of same name—form of license.</p> <p>§ 7. License to be taken out each calendar year.</p> <p>§ 8. Agents to be licensed—Fee \$1.00.</p> <p>§ 9. Affairs of licensed dealers and of issuer of securities to be subject to supervision and examination at any time—provisions of this Act not to repeal laws now affecting corporations—fees for examination.</p> <p>§ 10. Revocation of license—causes therefor.</p> <p>§ 11. Notice to be given of intention to revoke or of intention to refuse renewal of license—hearing.</p> | <p>§ 12. Circuit Court of Sangamon County to have power to review official action of Secretary of State.</p> <p>§ 13. Information to be filed relating to issuer of securities—appraisal of properties—limitation on amount of securities to be sold.</p> <p>§ 14. Unlawful to dispose of securities until required information is filed—Secretary of State to disapprove sale of fraudulent securities.</p> <p>§ 15. Foreign dealers, individuals, and owners of securities to file consents to service of process.</p> <p>§ 16. Penalties for violation of Act.</p> <p>§ 17. Reinstatement of licenses forfeited.</p> <p>§ 18. Every advertisement or circular issued to bear a serial number given by Secretary of State.</p> <p>§ 19. Fees to be turned in to State treasury—Secretary of State authorized to appoint deputies.</p> <p>§ 20. Every sale or contract for sale in violation of Act to be void.</p> <p>§ 21. Prosecutions under Act to be brought in one year.</p> <p>§ 22. Any section declared unconstitutional not to affect remainder of Act.</p> <p>§ 23. Acts repealed.</p> <p>§ 24. Act to take effect January 1, 1918.</p> |
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(HOUSE BILL NO. 864. FILED JUNE 25, 1917.)

AN ACT to prevent fraud in the sale and disposition of stocks, bonds, or other securities sold or offered for sale within the State of Illinois, by any dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such stocks, bonds, or other securities and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations, or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale within the State, of any stocks, bonds, or other securities, and providing penalties for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no dealer in stocks, bonds, debentures, or other securities of any kind or character, not exempt in this Act, shall sell or negotiate for sale, invite offers for, or inquiries about such securities, by personal solicitation, letters, circulars or otherwise, for the purpose of making a disposal of any such property for value without first being licensed so to do. That every corporation, co-partnership, or company, and every association formed for any lawful

purpose, now or hereafter organized in this State, whether incorporated or unincorporated, which shall sell, advertise for, or negotiate for sale any stocks, bonds, debentures, or other securities of any kind or character, not exempt in this Act, to any person or persons in this State, other than those specifically exempt hereunder, shall be known, for the purposes of this Act, as a domestic investment company; and every corporation, co-partnership, or company and association organized in or under the laws of any other state, territory or government which shall sell, advertise for or negotiate for sale any stocks, bonds, debentures, or other securities of any kind or character, not exempt under this Act, to any person or persons in this State other than those specifically exempt hereunder, shall be known, for the purpose of this Act, as a foreign investment company, and these, whether foreign or domestic, including any individual engaged now or at any time hereafter in the sale or disposition of bonds, stocks, debentures, and other securities of any kind or character in this State as contemplated by this Act, shall also be known and designated as "dealer."

The Secretary of State of the State of Illinois shall possess and have all necessary powers, and shall perform all the duties which may be required, to properly and efficiently enforce and administer the requirements and provisions of this Act.

§ 2. No dealer or licensee under this Act shall sell or offer for sale, directly or indirectly, any such property for value without first filing in the office of the Secretary of State of this State all lawfully required information concerning the same and the issuer thereof, and no dealer shall sell any securities disapproved or declared fraudulent by the Secretary of State.

§ 3. The provisions of this Act shall not apply to the disposal of securities;

- a. To a corporation; or
- b. To public sinking fund trustees; or
- c. To a licensee under this Act; or
- d. Being securities listed or dealt in upon an organized stock exchange or organized curb in this State or in any state or territory of the United States approved therefor by the Secretary of State, or securities senior thereto; or
- e. Being bonds of a municipality, government or governmental agency or other public securities; or
- f. Whereof actual current sales at prices quoted shall have been from time to time, for not less than one year next preceding the transaction authorized by this clause, published in the tabulated market reports of a daily newspaper of general circulation published in this State or an adjoining state; or
- g. Being bonds or notes secured by first mortgage lien upon real estate or leaseholds [leaseholds] within this State or within any state or territory of the United States; or
- h. Being the stock, notes, or other securities of, belonging to, or pledged to any national bank, or any bank, trust company, or insurance company organized and under the supervision of the Department of

Trade and Commerce, or other department of the State of Illinois, or building and loan association organized and doing business under the laws of this State; or

i. Being bonds, stocks, or other securities of quasi-public corporations, the issue of whose securities is regulated by a public service commission or board of any state or territory of the United States or any foreign government; or

j. Being securities listed in a standard manual or in manuals approved by the Secretary of State of the State of Illinois; or

k. Being stocks, bonds, or other securities sold at judicial, executors, administrators or trustee in bankruptcy's sale.

§ 4. A disposal of one's own property, of any kind named in section 1, for the owner's account exclusively, shall not, of itself, be held to amount to a dealing therein, when such disposal

a. Is not made in the course of continuing or repeated transactions of a similar nature by such owner; or,

b. Is made to an incorporator, antecedent, promoter, or one who is already a holder of the fully paid stock of the Illinois corporation issuing the property so disposed of by it; or

c. Being made by the issuer of the property so disposed of, or his transferee, consists of negotiable promissory notes given for full value and for the sole purpose of evidencing or extending the time of payment of the price of goods, wares, or merchandise, purchased or dealt in by such issuer in the ordinary course of his business; commercial paper, or other evidence of indebtedness, running not more than twelve months; or,

d. Is made to a bank, trust company, insurance company, building and loan association, or to a licensed dealer in said property.

§ 5. Upon the payment of a fee of ten dollars, the license required by this Act shall be issued by the Secretary of State to any applicant (for himself and his specified agents), who shall file in his office:

a. Evidence (to be confirmed or verified by the Secretary of State's investigation as he may deem necessary) establishing the applicant's good business repute, and showing for what length of time and in what capacities the applicant has been engaged in the kind of business sought to be licensed;

b. A statement of the name and of the residence and business addresses of all the persons directly interested, as principals, officers, directors, and as managing or sales agents, in the business for which license is sought, and the nature of the interest of each; a verified statement under oath (where oath is not waived in this Act) by the proper person or officer, duly authorized so to do, showing the actual assets and liabilities of the applicant, certified copies of charter, or articles of incorporation, constitution and by-laws, and such other information touching its affairs and purposes as said Secretary of State may require;

c. A statement of the class or classes of property proposed to be dealt in;

d. All of the evidence, exhibits and papers of every kind excepting properly certified public documents, shall be verified by the oath of the applicant in manner and form required by the Secretary of State.

The applicant shall bring the information required by clauses b and c of this section up to date, by filing in said office supplementary statements whenever requested by the Secretary of State.

§ 6. When an applicant for license shall have paid the fee and filed the evidence and statements required by section 5, the Secretary of State shall, with reasonable expedition, make an examination of all papers, statements and documents, so filed in his office, and if he shall deem it advisable he may make, or have made, a detailed examination of the affairs of such applicant whose papers have been filed in his office, which examination shall be at the expense of the applicant, as herein provided, and if he finds that such applicant is of good business repute and solvent, that its articles of incorporation or association, its constitution, by-laws, and proposed plan of business, provide for a fair, just and equitable plan for the transaction of business, he shall issue such applicant a certificate as hereinafter set forth.

Provided, however, that no license shall be issued to an applicant hereunder of the same [name] as any corporation organized under the laws of Illinois, or licensed to do business in this State under the Foreign Corporations Law, without the consent of such corporation.

Each and every certificate granted by the Secretary of State under the provisions of this Act shall be in substantially the following form:

"This is to certify that the.....has this date been given permission to sell stocks, bonds, or other securities within the State of Illinois. Detailed information in regard to said.....is on file in the office of the Secretary of State for public inspection and information.

The Secretary of State does not recommend the purchase of any security offered for sale.

Dated at Springfield, Illinois, this.....day of.....

In witness whereof, I have hereunto affixed the corporate [official] seal of the Secretary of State.

(Seal)

.....
Secretary of State."

The words "The Secretary of State does not recommend the purchase of any security offered for sale" shall be printed in larger, bolder faced type than the other part of the said certificate.

Any person, firm, association, company, or corporation that makes any reference in any statement, advertisement, or printed matter to the fact that a permit has been received from the Secretary of State to transact business in this State, shall with equal prominence, state in the same circular, advertisement, or printed matter than [that] "The Secretary of State does not recommend the purchase of the security [securities] of this or any other company."

§ 7. The license required by this Act shall be taken out at the beginning of each calendar year; but it may be issued at any time for

the remainder of a calendar year, and in such case the fee therefor shall be reduced *pro rata*.

§ 8. Any licensee may appoint one or more agents, but no such agent shall do any business for said licensee in this State until he shall first register with the Secretary of State as agent for such licensee, and for each of said registrations there shall be paid to said Secretary of State the sum of one dollar. Such registration shall entitle such agent to represent said licensee as its agent until the first day of January following, unless such authority is sooner revoked by said Secretary of State; and such authority shall be subject to revocation at any time by the Secretary of State for cause appearing to him sufficient.

§ 9. The Secretary of State shall have general supervision and control, as provided by this Act, over any and all licensees, domestic or foreign, doing business in this State, and all such licensees shall be subject to examination by the Secretary of State, or his duly authorized deputy, who shall not be a stockholder or officer or employee of any licensee, as often as the Secretary of State shall deem necessary or proper, and the Secretary of State shall have power to make a thorough examination of the affairs of the licensee or of the affairs of any issuer of securities handled by a licensee, and in so doing to examine any of the officers or agents or employees thereof on oath:

Provided, that nothing in this Act shall be construed to relieve corporations from making reports now or hereafter required by law to be made to the Secretary of State, or from paying the fees now or hereafter required to be paid by corporations; and this Act shall not be construed to repeal any law now in force regulating the admission into this State of any corporation, but the provisions of this Act shall be construed to be additional to any provisions regulating the organization of corporations under the laws of Illinois, or the admission of foreign corporations to do business in the State of Illinois.

And such licensee shall pay a fee for each of such examinations of not to exceed five dollars for each day or fraction thereof, plus the actual traveling and hotel expenses of said Secretary of State, or deputy, while necessarily engaged in making such examination, and the failure or refusal of any licensee to pay such fee upon the demand of the Secretary of State, or his deputy, while making such examination, shall work a forfeiture of the right of such licensee to do business in this State.

§ 10. The Secretary of State may at any time revoke a license previously granted, upon ascertaining that the licensee.

- a. Is insolvent; or
- b. Has violated any provisions of this Act; or
- c. Engages, under favor of such license, in illegitimate business, or any fraudulent transaction; or
- d. Is in any manner dishonest;

And he shall at once lay before the Attorney General evidence that shall come to his knowledge of criminality under this Act.

§ 11. At least one week before revoking a license, or refusing upon proper application to renew at expiration a license previously issued, the

Secretary of State shall notify the licensee, by mailing to the address named in the license, a written notice of his intention so to do, and shall assign therein any one or more of the grounds enumerated in section 10, with a particular specification thereof. The Secretary of State shall thereupon consider whatever representations or evidence the licensee shall offer in opposition to such proposed revocation or refusal to renew such license.

§ 12. Any one who shall, upon application to the Secretary of State, be denied a license, or whose license shall be revoked, or to whom a renewal of license previously issued shall be denied, may file within thirty days thereafter, in the Circuit Court of Sangamon County, Illinois, a petition against the Secretary of State, officially, as defendant, alleging therein, under oath and in brief detail, the plaintiff's qualifications to be licensed, and praying for a reversal of the official action complained of. Upon entry of appearance by, or service of summons upon, said defendant as in civil actions, he shall file an answer, but not upon oath, in which he shall allege by way of defense, the grounds previously assigned and specified in his notice to such licensee. All allegations of the answer shall be deemed to stand denied without further pleading, and upon application of either party the cause shall be advanced and heard without delay. Merely technically irregularities in the procedure of the Secretary of State shall be disregarded, and the burden shall rest upon the plaintiff to disprove the grounds assigned and specified for the official action complained of. The court's decision shall consult only the rights of the plaintiff and protection to the public, and shall be final, but its judgment against the plaintiff shall not bar a new application by such plaintiff to the Secretary of State for a license under this Act, nor shall its judgment in favor of the plaintiff prevent the Secretary of State from thereafter revoking such plaintiff's license for any cause which may thereafter accrue or be discovered.

§ 13. The information to be filed under section 2 of this Act shall include, unless the Secretary of State shall dispense with the filing of some part thereof:

a. A balance sheet showing the kind and amounts of all the assets and liabilities of the issuer on a day not more than one year prior to the date of filing such balance sheet;

b. A statement of the amount and sources of the issuer's income during a period of twelve consecutive calendar months, if engaged in business for that length of time, otherwise as may be required by the Secretary of State, ending not earlier than the date of the balance sheet mentioned in clause "a" of this section.

c. Copies of the bonds or other securities of the issuer proposed to be sold or offered for sale.

The Secretary of State may require said balance sheet or income statement, or both, to be authenticated by a certified public accountant of this State, or of any other state or county, where the issuer's business is located, and wherein such accountants are qualified by law substantially as in this State. He may also, whenever he shall deem it necessary, require said balance sheet or income statement, or both, to be made

more specific, in such particulars as he shall point out or brought down to date, and require the following additional information, or any part thereof, to be furnished, namely: A transcript of all instruments relating to the corporate, co-partnership, or other mode of organization of the issuer of the property proposed to be disposed of, and a transcript of the record or minutes of all proceedings by the issuer concerning the issue of such property. The Secretary of State may cause an appraisal to be made at the expense of the dealer of the property of the issuer of the securities, including the value of patents, good will, promotion, and intangible assets, or may accept the appraisal made by any other duly authorized officer or commission, and may fix the amount of stocks, bonds, and securities that shall be issued by any corporation, foreign or domestic, in payment for property, patents, good will, promotion and intangible assets at the value he shall find the same to be worth, and may require that such stocks and securities so issued for such property, patents, good will, promotion and intangible assets at the value he shall find the same to be worth, and may require that such stocks and securities so issued for such property, patents, good will, promotion, and intangible assets shall be deposited in escrow under such terms as the Secretary of State may prescribe. The licensee shall forbear to dispose of any property, contemplated by any lawful requirements of the Secretary of State before compliance therewith. All instruments, documents and exhibits, excepting properly certified documents, shall be verified by the oath of the proper official or person duly authorized, in manner and form required by the Secretary of State. There shall be paid to the Secretary of State a fee of \$5 for filing the papers required to be filed under this section.

§ 14. It shall not be lawful for any person, persons, co-partnership, association, or corporation, either as principal or agent, to transact any business in form or character similar to that set forth in this Act, and not exempt from its operation, until it shall have filed the papers and documents herein provided for. It shall be the duty of the Secretary of State to examine the statements and documents in his office relating to each issue of stocks, bonds and securities, and the reports of any investigation made under his direction, and if he finds that the proposed contracts, stocks, bonds, or other securities are fraudulent or that the sale of same in his opinion would work a fraud upon the purchaser, then he shall disapprove the sale of such contracts, stocks, bonds, or securities, and shall notify the dealer by registered mail.

§ 15. Every foreign dealer, whether a corporation, co-partnership, association, company, and whether incorporated or unincorporated, and any individual, not herein specifically exempt, and all those whose securities are to be marketed, shall also file with the papers and documents specified and required in this Act, written irrevocable consents that suits of law or in equity may be commenced against each of them in any court of competent jurisdiction within this State, in any county in which the plaintiff or complainant resides, or in which the cause of action may have arisen, by the services, of process upon the said Secretary of State, and therein stipulate and agree that such service of process

on said Secretary of State shall be taken and held, in all courts, to be as valid and binding as if due service had been made upon such dealer himself or itself, according to the laws of this or any other state; and such instruments shall be signed by the president and secretary of such dealer, authenticated by its corporate seal; or if unincorporated, then by such person or persons as are authorized to execute similar documents, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees, or managers of each such dealer authorizing the execution of such consent in its behalf. Whenever process is served upon the Secretary of State as herein provided the Secretary of State shall forward at once a copy of the same by registered mail to the defendant at the address of record in the office of the Secretary of State.

§ 16. Any dealer or agent of a dealer violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than one hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail for not more than one year, or shall be subject to both such fine and imprisonment, in the discretion of the court.

§ 17. A forfeiture for failure to comply with any requirements of this Act on [or] direction of the Secretary of State, shall remain in force until the dealer shall make an application for reinstatement, and shall comply with the direction and requirements of said Secretary of State, and if the requirements of said Secretary of State shall have been complied with to the approval of said Secretary of State and he has issued a certificate of reinstatement, such dealer may continue the business, but not otherwise, previously authorized.

§ 18. No advertisement, pamphlet, circular or other document relating to stocks, bonds or securities not exempted by this Act, shall be issued, circulated or delivered by the dealer or any agent, within this State unless the same shall bear a serial number to be given by the Secretary of State and a copy thereof shall first have been filed with the Secretary of State, nor after such dealer has been notified of objection thereto by said officer.

§ 19. All fees herein provided for shall be collected by the Secretary of State, and by him shall be turned into the State treasury, and particularly itemized in his report to the Governor, preceding each regular session of the General Assembly. The Secretary of State is hereby authorized to appoint such clerks and deputies as are actually and absolutely necessary to carry this Act into full force and effect, none of whom shall be related by blood or marriage to such Secretary of State.

§ 20. Every sale or contract of sale in violation of sections 1 or 2 of this Act shall be void and the dealer making such contract or sale must, on request and tender back of any securities received, return the purchase price or any part thereof paid.

§ 21. No prosecution for violation of any section of this Act shall bar or be barred by, a prosecution for the violation, in the same transaction, of any other section or of any other statute; but all prosecutions

under this Act must be commenced within one year after the commission of the Act complained of.

§ 22. Should the courts declare any section of this Act unconstitutional or unauthorized by law, or in conflict with any other provision of this Act, then such decision shall affect only the section or provision so declared unconstitutional, and shall not affect any other section or part of this Act.

§ 23. All Acts and parts of Acts, in so far as they conflict with this Act, are hereby repealed.

§ 24. This Act shall be in force and take effect on January 1st, A. D. 1918.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

BUILDING AND LOAN ASSOCIATIONS.

§ 1. Amends section 8, Act of 1879.

§ 8. As amended, provides for examination of title by directors, and written opinion thereof.

(HOUSE BILL No. 99. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association,*" in force July 1, 1879, as subsequently amended, by amending section eight (8) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association,*" in force July 1, 1879, as subsequently amended, be, and the same is hereby amended, by amending section eight (8) thereof, so that the said section when amended, shall read as follows:

§ 8. The board of directors shall hold such stated meetings not less frequently than once a month, as may be provided by the by-laws. At which meeting the money in the treasury shall be offered for loan in open meeting, and the shareholders who shall bid the highest premium for the preference or priority of loan, shall be entitled to receive a loan of one hundred dollars for each share of stock held by said shareholders; the said premium bid may be deducted from the loan in one amount, or may be paid in such proportionate amounts or installments, and at such times during the existence of the shares of stock borrowed upon, as may be designated by the by-laws, of the respective associations: *Provided*, that any such association may, by its by-laws, dispense with the offering of its money for bids in open meeting, and in lieu thereof loan its money at a rate of interest and premium fixed by its by-laws, and either with or without premium, deciding the preference or priority of the applications for loans of its shareholders: *And, provided*, that no loan shall be made by said association except to its own members, nor in any sum in excess of the amount of stock held by such members borrowing, but

such shareholders may borrow such fractional part of one hundred dollars as the laws may provide. Good and ample real estate security, unincumbered, except by prior loans of such association, shall be given by the borrower to secure the payment of the loan: *Provided*, that the board of directors shall require an examination of title and written opinion thereof; and may, in its discretion, require that such real estate security shall be accompanied by an abstract of the title of the property in question or a guaranteed title thereof or a certificate under the Torrens system: *Provided, however*, that the stock of such associations may be received as security, to the amount of the withdrawal value of such stock: *And, provided*, that the board of directors may by a two-thirds vote of all its members temporarily invest the funds of the association in the treasury in excess of the demands of the shareholders in other securities, but such investment shall not exceed twenty per centum of the assets of the association. Any mutual building, loan and homestead association, which may have heretofore been incorporated under the laws of the State of Illinois, may avail itself of all the power conferred by this Act.

APPROVED June 25, 1917.

CO-OPERATIVE ASSOCIATIONS—ACT OF 1915 AMENDED.

§ 1. Amends section 17, Act of 1915.

§ 17. As amended, provides joint stock corporations previously organized may avail themselves of the provisions of the Act.

(HOUSE BILL No. 16. APPROVED MAY 10, 1917.)

AN ACT to amend an Act entitled: "An Act to provide for the incorporation of co-operative associations for pecuniary profit," filed July 8, 1915, in force July 8, 1915, by amending section seventeen (17) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "An Act to provide for the incorporation of co-operative associations for pecuniary profit," filed July 8, 1915, in force July 8, 1915, be, and the same is hereby amended by amending section seventeen (17) thereof, so that the said section when amended shall read as follows:

§ 17. All co-operative corporations and joint stock corporations, companies, associations, voluntary unincorporated associations or partnerships heretofore organized under prior statutes, or who shall be doing business as co-operative institutions with the objects enumerated in this Act, shall have the benefit of the provisions of this Act and be bound thereby, on filing with the Secretary of State a written declaration, signed and sworn to by the president and secretary, to the effect, that it or they, have by a two-thirds vote of its shareholders or its members, decided to accept the benefits of this Act and be bound by the same.

APPROVED May 10, 1917.

CO-OPERATIVE ASSOCIATIONS—SUBSCRIPTIONS OF STOCK.

§ 1. Amends section 2, Act of 1915.

§ 2. As amended, adds paragraph prohibiting commissions being charged for selling stock.

(HOUSE BILL No. 26. APPROVED JUNE 14, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the incorporation of co-operative associations for pecuniary profit*," filed July 8, 1915, in force July 8, 1915, by amending section two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the incorporation of co-operative associations for pecuniary profit*," filed July 8, 1915, in force July 8, 1915, be and the same is hereby amended, by amending section two (2) thereof, so that said section two (2) when amended shall read as follows:

§ 2. No person shall be permitted to subscribe for more than five shares of the capital stock of such association, nor shall any person be permitted to own or control more than five shares of the capital stock of such association. The shares of stock shall not be less than five dollars nor more than one hundred dollars a share, and subscriptions thereto shall be made payable to the association at such time or times and in such manner as shall be determined by the directors. No stock shall be issued except at its par value and no stock shall be issued in amount to exceed five hundred dollars to any one shareholder, except as hereinafter provided for in section 12 of this Act.

No commission shall be directly or indirectly charged, secured, or collected for selling stock in such association, and any person, firm or corporation, charging, receiving or procuring, directly or indirectly, any such commission, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five (\$5) dollars, nor more than one hundred (\$100) dollars.

APPROVED June 14, 1917.

FEEES.

§ 1. Amends section 1, Act of 1895.

• § 1. Fees.

(SENATE BILL No. 383. FILED JUNE 29, 1917.)

AN ACT to amend Section 1 of an Act entitled, "*An Act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State*," approved June 15, 1895, in force July 1, 1895, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 of an Act entitled, "*An Act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State*," approved June 15, 1895, in force July 1, 1895, as subsequently amended, be and the same is hereby amended so as to read as follows:

§ 1. That all companies and corporations hereafter organized under the laws of the State of Illinois, before they shall be permitted to file any papers in the office of the Secretary of State, or make any ap-

plication for the purpose of becoming incorporated, shall pay to him fees as follows: All companies having a capital stock of \$2,500 and under shall pay the sum of \$30; and all companies having a capital stock of over \$2,500, and not over \$5,000 shall pay the sum of \$50; and all companies having a capital stock of over \$5,000 shall pay in addition to the said sum of \$50, the sum of \$1 for each \$1,000 of capital stock over \$5,000. All corporations at present organized and doing business under the laws of this State, or that may be hereafter organized, shall pay a fee in addition to all other fees at present required by law, the sum of \$1 for each \$1,000 of increase of such capital stock: *Provided* that no company now incorporated, or which may be hereafter incorporated under the laws of this State, shall acquire a franchise by increase of capital stock over \$2,500 and not over \$5,000, for a less sum than \$50, and over \$5,000, in addition to the said sum of \$50, the sum of \$1 for each \$1,000 increase of capital stock, and \$1 for filing certificate of such increase: *And provided, further*, that this Act shall not apply to corporations incorporated under the law providing for the incorporation of homestead associations and building and loan associations, nor to religious corporations, nor corporations not for pecuniary profit: *And provided, further*, that any company or corporation, being a public utility as defined in section 10 of an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, shall file its papers in the office of the Secretary of State and shall pay to the Secretary of State, the fees herein provided upon such amount of stock as shall be authorized by the Public Utilities Commission, or any other commission which may by law be empowered to pass upon and authorize the issuance of stock before the issuance thereof in any amount by such corporation, and for each subsequent increase of stock authorized by such commission, such public utilities corporation shall pay to the Secretary of State, fees at the same rate before the issuance thereof in any amount; *and provided, further*, that said public upon the renewal or extension of the charter of any public utility, said public utility shall, before renewal or extension of its charter, pay to the Secretary of State, fees on its outstanding capital stock at the rate herein before provided.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

FOREIGN CORPORATION ACT—AMENDMENT.

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| <p>§ 5a. Amendments to charters — increases in capital stock.</p> <p>§ 5b. Secretary of State to propound interrogatories—method for determining proportion of capital stock represented—no par value stock.</p> | <p>§ 5c. Authority to do business to be revoked for failure to pay upon increases.</p> <p>§ 5d. Withdrawal from the State.</p> <p>§ 5e. Conflict in names—changes in object.</p> |
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(SENATE BILL NO. 41. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "An Act to regulate the admission of foreign corporations for profit to do business in the State of Illinois," approved May 18, 1905, in force July 1, 1905, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois[,] represented in the General Assembly:* That an Act entitled, "An Act to regulate the admission of foreign corporations for profit to do business in the State of Illinois," approved May 18, 1905, in force July 1, 1905, as subsequently amended, be and hereby is amended by adding thereto five additional sections to be numbered 5a, 5b, 5c, 5d and 5e, respectively which shall read as follows:

5a. Every foreign corporation heretofore or hereafter admitted to do business in the State of Illinois under the provisions of any statute, other than insurance companies, building and loan companies, and surety companies, in addition to its charter or articles of incorporation, shall keep on file in the office of the Secretary of State a duly authenticated copy of each and every instrument amending its charter, and every foreign corporation other than insurance companies, building and loan companies, and surety companies, heretofore or hereafter admitted to do business in this State under any foreign corporations statute that increases or which has increased the proportion or amount of its capital stock represented in the State of Illinois, shall file a statement showing such increase with the Secretary of State and pay the same fees as are paid by domestic corporations upon increases in capital stock.

5b. It shall be the duty of the Secretary of State to propound interrogatories from time to time to officers of such foreign corporations doing business in this State to ascertain the proportion of capital stock actually being represented by property located and business transacted in the State of Illinois, which proportion shall be determined by averaging the percentage of the total business of the corporation transacted in Illinois with the percentage of the total tangible property located in this State. If no tangible property is used in the business of the corporation, the proportion of capital stock represented shall be determined with reference only to the percentage of the total business of the corporation transacted in Illinois. In the event that the foreign corporation making application for license has capital stock of no par value, its shares for the purpose of fixing the license fee shall be considered to be of the par value of one hundred dollars (\$100) per share.

5c. Whenever it shall appear from the statement filed by any such foreign corporation, or from answers to interrogatories propounded by the Secretary of State that the proportion of the capital stock of such foreign corporation represented in the State of Illinois is greater than

the amount theretofore paid upon by the corporation, it shall be the duty of the Secretary of State to send notice by registered mail to the president, secretary, or the Illinois statutory agent of such corporation of record in his office of the amount due the State of Illinois, and if the amount due is not paid within thirty days after date of the receipt of said notice, or within such extension of time as may be granted, the Secretary of State shall revoke the authority of such corporation to do business in Illinois and shall file with the certified copy of the charter of the corporation on file in his office a certificate of revocation, and thereafter said corporation shall not be entitled to transact business in this State without paying fees for and obtaining a new certificate of authority.

5d. Any foreign corporation admitted to do business in the State under the provisions of this Act that desires to withdraw from the State of Illinois may do so by surrendering its license and filing with the Secretary of State an affidavit, sworn to by the president and secretary of the corporation, wherein it is stated that no amount of the capital stock of the corporation is represented by property located and business transacted in this State; that the corporation has fully complied with the laws of Illinois; and that it agrees that service thereafter may be had upon the corporation in any suit of law or in equity based upon contracts or torts or causes of action arising in Illinois during the time the corporation was licensed to transact business in this State, by serving the person who is the agent of the corporation at the time said certificate of withdrawal is filed.

5e. No foreign corporation shall be allowed to file in the office of the Secretary of State an amendment to its charter wherein it adopts or assumes the same name or a name similar to that of a corporation organized under the laws of Illinois, or to that of a corporation organized under the laws of any other state or country that is licensed to transact business in Illinois; and the filing of any article of amendment shall not enlarge or alter the object or purposes of the corporation set forth in the license issued by the Secretary of State: *Provided*, that any foreign corporation whose license has not been canceled for cause may apply for and receive from the Secretary of State a new license upon payment of the same fees as are charged for the preparation of certified copies of records.

APPROVED June 22, 1917.

HOMESTEAD LOAN ASSOCIATION.

§ 1. Amends Act of 1879, by adding section 7a.

§ 7a. Joint ownership.

(HOUSE BILL NO. 597. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, as subsequently amended, adding a new section thereto, to be known as section seven-a (7a).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act

to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, as subsequently amended, be, and the same is hereby amended by adding thereto a new section, to be known as section seven-a (7a), to read as follows:

§ 7a. (JOINT OWNERSHIP.) Shares may be issued, in the names of two persons and the survivor; and in the event of the death of either, the association shall be liable thereon only to the survivor, and while both are living payment to either shall discharge the liability to both. The joint ownership of shares shall not confer the right to vote to a greater extent than if said shares were held by an individual.

APPROVED June 25, 1917.

NOT FOR PROFIT—RESTORATIONS OF CHARTERS.

§ 1. Amends section 2, Act of 1905.

§ 3. Emergency.

§ 2. Restoration of charter—fee.

(SENATE BILL NO. 153. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "*An Act to restore charters of all corporations organized not for pecuniary profit, including religious corporations, existing by virtue of any general or special law of this State, prior to July 1, 1903,*" approved and in force May 13, 1905, by amending section two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to restore charters of all corporations organized not for pecuniary profit, including religious corporations, existing by virtue of any general or special law of this State prior to July 1, 1903,*" approved and in force May 13, 1905, be, and the same is hereby amended by amending section two (2) thereof, so that the said section when amended shall read as follows:

§ 2. Any corporation not for profit, including all eleemosynary and religious corporations, or associations heretofore incorporated by virtue of any general or special law of this State and whose charter was cancelled by the Secretary of State on his records for failing to comply with sections 2 and 7 of an Act entitled, "*An Act to require corporations to make annual report to the Secretary of State and providing for the cancellation of articles of incorporation for failure to do so, and to repeal a certain Act therein named,*" approved May 10, 1901, in force July 1, 1901, may, upon application to the Secretary of State made not later than January 1, 1920, accompanied by a fee of five (\$5.00) dollars and a statement that the corporation making such application has since the cancellation of its charter, continued to pursue the purpose of its organization, and giving the name and address of its present officers, the date of the expiration of the respective offices and the location of the principal offices of such corporation, which application shall be made under the seal of the corporation and shall be signed and sworn to by the president, secretary or other officer of the corporation, be reinstated. Upon the receipt of such application, accompanied by the fee herein provided, it

shall be the duty of the Secretary of State to annul upon the records of his office the cancellation of the charter of such corporation. The Secretary of State shall furnish proper blanks to be used in making such application, upon request. "Provided, that no such corporation shall file such application while any dissolution proceeding brought by the Attorney General against it is pending in any court of this State and no such application from any such corporation shall be received by the Secretary of State while any such proceeding is pending against it.

§ 3. WHEREAS an emergency exists, therefore this Act shall take effect from and after its passage.

APPROVED June 22, 1917.

NOT TO PRACTICE LAW.

§ 1. Unlawful for corporations to practice law.

§ 3. Penalty.

§ 2. Unlawful to solicit claims or demands, or to furnish legal advice, etc.

§ 4. Fact that offending party is a duly licensed attorney no defense.

§ 5. Exceptions.

(HOUSE BILL NO. 951. FILED JUNE 28, 1917.)

AN ACT to prohibit corporations from practicing law, directly or indirectly, making the same a misdemeanor and providing penalties for the violations thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be unlawful for a corporation to practice law or appear as an attorney at law for any reason in any court in this State or before any judicial body, or to make it a business to practice as an attorney at law for any person in any of said courts or to hold itself out to the public as being entitled to practice law or to render or furnish legal services or advice or to furnish attorneys or counsel or to render legal services of any kind in actions or proceedings of any nature or in any other way or manner to assume to be entitled to practice law, or to assume, use and advertise the title of lawyers or attorney, attorney at law, or equivalent terms in any language in such manner as to convey the impression that it is entitled to practice law, or to furnish legal advice, furnish attorneys or counsel, or to advertise that either alone or together with, or by or through, any person, whether a duly and regularly admitted attorney at law or not, it has, owns, conducts or maintains a law office or an office for the practice of law or for furnishing legal advice, services or counsel.

§ 2. It shall be unlawful for any corporation to solicit by itself or by or through its officer, agent or employee, any claim or demand for the purpose of bringing an action at law thereon, or for furnishing legal advice, services or counsel, to a person sued or about to be sued in any action or proceeding, or against whom an action or proceeding has been or is about to be brought or who may be affected by any action or proceeding which has been or may be instituted in any court or before any judicial body or for the purpose of so representing any person as attorney or counsel in securing or attempting to secure any civil remedy.

§ 3. Any corporation violating the provisions of this Act shall be liable to a fine of not more than five hundred dollars (\$500), any [and]

every officer, trustee, director, agent or employee of such corporation who directly or indirectly engages in any of the acts herein prohibited or assists such corporation to do any such prohibited act or acts is guilty of a misdemeanor and upon conviction shall pay a fine of not less than two hundred dollars (\$200) or more than five hundred dollars (\$500).

§ 4. The fact that any such officer, trustee, agent or employee shall be a duly and regularly admitted attorney at law shall not be held to permit or allow any such corporation to do the acts prohibited herein, nor shall such fact constitute a defense upon the trial of any of the persons mentioned herein for a violation of the provisions of this Act.

§ 5. Nothing contained in this Act shall prohibit a corporation from employing an attorney or attorneys in and about its own immediate affairs or in any litigation to which it is or may be a party, or in any litigation in which any corporation may be interested by reason of the issuance of any policy or undertaking of insurance, guarantee or indemnity, nor shall it apply to associations organized for benevolent or charitable purposes or for assisting persons without means in the pursuit of any civil remedy or the presentation of a defense in courts of law, nor shall it apply to duly organized corporations lawfully engaged in the mercantile or collection business or to corporations organized not for pecuniary profit.

Nothing herein contained shall be construed to prevent a corporation from furnishing to any person, lawfully engaged in the practice of the law, such information or such clerical services in and about his professional work as, except for the provisions of this Act, may be lawful, *provided* that at all times the lawyer receiving such information or such services shall maintain full professional and direct responsibility to his clients for the information and services so received. But no corporation shall be permitted to render any services which can not lawfully be rendered by a person not admitted to practice law in this State nor to solicit directly or indirectly professional employment for a lawyer.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

REAL ESTATE AGENCY AND MORTGAGE LOANS.

§ 1. Amends section 1, adds sections 1a, 1b and 1c, Act of 1872.

§ 1a. Statement, how, when and to whom made.

§ 1. Organization of real estate agency and mortgage loan corporations.

§ 1b. Auditor of Public Accounts to examine.

§ 1c. Penalty.

(HOUSE BILL [No.] 623. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act concerning corporations," approved April 18, 1872, in force July 1, 1872, as amended by subsequent Acts, by amending section 1 thereof, and by adding new sections thereto to be known as sections 1a, 1b, and 1c.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 1 of "An Act con-

cerning corporations," approved April 18, 1872, in force July 1, 1872, and Acts amendatory thereof, be amended and that there be added thereto certain sections to be known and designated as sections 1a, 1b and 1c, and which amended section and added sections shall read as follows:

§ 1. That corporations may be formed in the manner provided by this Act for any lawful purpose except banking, insurance, real estate brokerage, the operation of railroads, and the business of loaning money: *Provided*, that horse and dummy railroads, and organizations for the purchase and sale of real estate for burial purposes only, and corporations for acquiring, owning, erecting, leasing or operating only one building and the site therefore of not more than 80,000 square feet of land, hereinafter called building corporations may be organized and operated under the provisions of this Act: *And, be it further provided*, where such building corporation is organized for such purpose, that specific and definite description of the site for such building shall be given at the time the charter for such corporation is applied for: *And, provided, further*, that unless said site at the time said charter is granted is improved with a building worth not less than one-half the actual cash value of said site at such time, such corporation shall within the five (5) years next thereafter erect upon such site a building which shall not cost less than one-half of the full cash value of said site at the time said charter is granted, and in the event of its failure to build such building within the said five (5) years, the said corporation shall forfeit its right to erect a building and shall be required to dispose of said site within six (6) months after the expiration of said five (5) years and cease its corporate existence: *And, provided, further*, that it shall be unlawful for two or more building corporations organized hereunder to consolidate or for the stock of any building corporation organized hereunder to be owned, taken or held, directly or indirectly, by any foreign or domestic corporation or by any holding corporation, foreign or domestic.

And, provided, further, that corporations formed for the purpose of constructing railroad bridges shall not be held to be railroad corporations.

And, provided further, that corporations may be formed under this Act for the purpose of carrying on the real estate agency business. The real estate agency business within the meaning of this Act shall consist of acting as agent for others in the purchase, sale, renting and management of real estate and leasehold interests, and acting as agent for others in the negotiation of loans on real estate and leasehold estates, *provided*, that no corporations shall be formed under this Act for the purpose of acquiring or owning real estate except as specifically provided by this Act.

And, provided, further, that corporations formed for the purpose of lending money on bonds or notes secured by mortgages or trust deeds on real estate or leaseholds or on the mortgage bonds of railroad companies, or of any public service corporations, or on any State, municipal or quasi-municipal bonds, or for the purpose of buying, selling, pledging, mortgaging or otherwise dealing in any of the above named securities, such corporations being hereinafter called mortgage loan corporations, may be organized and operated under the provisions of this Act: *Pro-*

vided, further, that nothing in this Act contained shall be so construed as to confer banking powers or privileges upon any such corporation.

And, provided, further, that no such mortgage loan corporation shall purchase or otherwise acquire, or loan money upon, the stock of any other corporation, whether organized under the provisions of this Act, or the laws of some other state.

And, provided, further, that it shall be unlawful for two or more mortgage loan corporations organized hereunder to consolidate or for the stock of any mortgage loan corporation organized hereunder to be owned, taken, or held, directly or indirectly, by any foreign or domestic corporation, or by any holding corporation, foreign or domestic.

§ 1a. Such mortgage loan corporations shall file with the Auditor of Public Accounts, during the month of January of each year, a statement under oath, of the condition of such company on the 31st day of December next preceding, which statement shall show the assets and liabilities of the company. The said report shall be in such form and shall contain such additional statements and information as to the affairs, business and conditions of the corporation, as said Auditor may from time to time prescribe or require.

§ 1b. The Auditor of Public Accounts shall have power and authority and it shall be his duty to visit and examine annually, any mortgage loan company doing business under this Act, and to compel a compliance with the provisions of law governing it as he may by law exercise in relation to trust companies.

§ 1c. Any violation of any of the provisions of this Act relating or pertaining to mortgage loan corporations shall subject the party violating the same to penalty of one thousand (\$1,000.00) dollars for each offense.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

REAL ESTATE IMPROVEMENTS.

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| § 1. Number required to incorporate. | § 8. Report of commissioners and issuance of certificate of complete organization. |
| § 2. Corporation not to acquire real estate out of county. | § 9. Corporate powers. |
| § 3. Limitation of power to hold real estate. | § 10. Directors. |
| § 4. State's attorney to sell land held in contravention of Act. | § 11. Payment of stock and par value of shares. |
| § 5. Non-resident of county not to hold stock in corporation. | § 12. Annual report to be filed with recorder of deeds. |
| § 6. How license obtained. | § 13. General Assembly may regulate corporations. |
| § 7. Subscription of stock and election of directors. | § 14. Examination of corporate books. |
| | § 15. Meetings of stockholders. |

(SENATE BILL NO. 168. FILED JUNE 29, 1917.)

AN ACT to provide for the incorporation of associations for the purpose of owning certain classes of real estate and defining and limiting the powers of such corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any number of persons, not

less than ten (10), all of whom shall be citizens of the United States and residents of the county in which the principal office of the company to be incorporated is to be located, may form a corporation to own lands for the purpose of improvement by the company, by the erection of residences thereon, to be sold or leased by said company.

§ 2. No company organized under this Act shall own any property in any county except the one in which its principal office is located and any conveyance to or any contract by such company concerning any real estate in any other county shall be void.

§ 3. No company organized for the purpose of owning and improving lots therein shall hold any lot unimproved for a greater period than five years or any improved lot for a longer period than fifteen years and no lot shall be considered improved unless there is upon it a building or buildings of double the value of such a lot, nor shall any company organized under the provisions of this Act at any time own, possess or hold title to unimproved lots or lands in excess of forty acres.

§ 4. That in case any corporation organized under this Act and authorized by this Act to hold real estate shall hold any real estate contrary to the provisions of this Act, or for a greater period than provided by this Act, it shall be the duty of the State's attorney of the county in which said land is situated, to proceed by information in the name of the People of the State of Illinois against such corporation in the Circuit Court of the county in which such lands so held as aforesaid shall be situated and such court shall have jurisdiction to hear and determine such fact and to determine the value thereof and to order the sale of such land or real estate at such time and such place, subject to such rules as the court may establish. The court shall tax as the fees of the State's attorney such sum as shall be reasonable and the proceeds of such sale after deducting said fees and costs of proceeding shall be paid to such corporation.

§ 5. No person not a resident of the county in which the principal office is located shall hold stock in any company incorporated under this Act unless such stock is acquired by inheritance or bequest and no person not a resident of such county shall be a director or officer of any such corporation.

§ 6. Three or more of the ten or more persons authorized to form a corporation hereunder, persons desiring to form a corporation under this Act shall make a statement under their hands duly acknowledged before some officer in the manner provided for the acknowledgment of deeds, setting forth:

1st. The name of the proposed corporation.

2nd. The object for which it is formed.

3rd. Its capital stock.

4th. The number of shares.

5th. The location of its office.

6th. The duration of the corporation not exceeding 99 years.

Which statement shall be filed in the office of the Secretary of State. If said statement complies with the provisions of this Act, the Secretary

of State shall issue to such persons a license as commissioners to open books of subscription to the capital stock of said company.

§ 7. As soon as may be after the capital stock is subscribed, and within six months from the date of such license, the commissioners shall convene a meeting of the subscribers for election of a board of directors, and such other business as may come before them, ten days' notice thereof shall be given by U. S. mail unless waived in writing, stating the time, place and object of such meeting, and at such meeting every subscriber shall have the right to vote by ballot in person or by proxy for the number of shares subscribed by him for as many persons as are to be elected directors or to accumulate such shares and give to one candidate as many votes as the number of directors multiplied by the number of shares of stock shall equal or to distribute them on the same principle among as many candidates as he may choose and such directors shall not be elected in any other manner. The directors shall be elected until the first Tuesday in February following and on all subsequent elections, for one year and until their successors are elected and qualified. All subsequent elections shall be held at the annual meeting on the first Tuesday of February each year.

§ 8. A majority of the commissioners shall make a complete report under oath, giving:

The names and residences of and number of shares subscribed by each stockholder.

The names and residences of the directors elected.

The amount paid on capital stock by each subscriber, in cash.

The amount paid on the capital stock by each subscriber in property, describing the property and the fair cash value thereof.

Which report shall be filed with the Secretary of State. If said report shows a compliance with this Act, the Secretary of State shall thereupon issue a certificate of complete organization of said corporation, making a part thereof a copy of all papers filed in his office in and about the organization of the corporation and authenticated by his hand and the seal of State and the same shall be recorded in the office of the recorder of deeds of the county where its office is located, within ninety days of its date. Upon such copy being filed, as aforesaid, the company shall be considered fully organized and may proceed to do business.

§ 9. Corporations formed under this Act shall sue and be sued; may have a corporate seal. They may borrow money and pledge and mortgage their property to secure payment thereof and have and exercise all the powers necessary to carry into effect the purposes for which they were formed; *provided, however*, that no company organized under this Act shall incur indebtedness in excess of the capital actually paid in, and in case such indebtedness shall at any time exceed the capital stock actually paid in, the officers and directors of such company shall be personally liable to the creditors whose obligations are incurred in excess of the paid up capital stock, for such excess and such officers and directors may be sued jointly or severally therefor by any such creditor.

§ 10. The corporate powers of the companies shall be exercised by a board of directors, the number to be not less than three as determined

by the stockholders and a majority vote of all the stock subscribed shall be required to fix and a majority of the stock issued shall be required to change the number of directors. The officers of the company shall be president, secretary and treasurer and such other officers as may be determined by the board of directors and shall be elected by the board of directors annually. The directors shall have power to pass by-laws not inconsistent with the laws of this State.

§ 11. Shares of stock shall not be less than \$25.00 or more than \$100.00 and may be transferred by written assignment and entry on the stock record of the company within thirty days after such assignment. Subscriptions for stock shall be made payable to the corporation and shall be payable at such times as shall be determined by the board of directors. The directors may by by-laws prescribe penalties for failure to pay for stock as provided by by-laws, but no penalty working a forfeiture of stock or the amount paid thereon shall be declared as against any estate before distribution shall have been made or against any stockholders before demand shall have been made in writing, in person, or by notice duly mailed to the proper address of such stockholders at least thirty days prior to the time when such forfeiture is to take effect, and in such case the stock shall be sold at public sale and the proceeds, if any, above the amount due thereon shall be paid to the delinquent stockholder. The subscribers and each subsequent holder of stock shall be liable to the company for the par value thereof until said stock is fully paid and each of such persons shall be liable for the debts of the corporation to the extent of the amount that may be unpaid on stock so subscribed or held by them, and no assignor of stock shall be released from any such obligation until the stock is fully paid.

§ 12. The company shall on or before the first day of March, each year, make a written report which shall be filed with the recorder of deeds in the county in which its office is located, which report shall be signed and sworn to by the secretary of such company, giving the names and residence of each stockholder, the amount of stock owned by each and the amount paid in on such stock, a list of the officers and directors of such company and a list of all real estate owned by such company by legal description, such list to designate which is improved and which is unimproved.

§ 13. The General Assembly shall at all times have power to prescribe such regulations and provisions as it may deem advisable, which regulations and provisions shall be binding upon any and all corporations formed by this Act.

§ 14. It shall be the duty of every corporation organized under this Act to keep at its office correct books of account of all its business and every stockholder of such corporation shall have the right, during business hours, by himself or his attorney, to examine the records and books of account of the corporation.

§ 15. Meetings of the stockholders and directors may be called as provided by by-laws or by the holders of two-thirds of the stock of such corporation, by signing a call therefor and filing the same with the secretary of such corporation and publishing the same in a newspaper

of general circulation printed and published in the county where the office of said company is located, for three successive weeks prior to the time fixed for holding such meeting.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

UNIFORM STOCK TRANSFER ACT.

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| § 1. Manner of transfer of title certificates of stock and shares represented thereby. | § 12. Mortgagee, pledgee, etc., does not warrant genuineness of certificates, etc. |
| § 2. Act not to enlarge powers of infant or other person lacking legal capacity, or of person acting in a representative capacity. | § 13. Attachment of shares. |
| § 3. Not to impair the right of corporation to collect assessments or the rights of stockholders to receive dividends. | § 14. Courts to aid creditor to attach shares in certain cases. |
| § 4. Title of transferee under power of attorney. | § 15. Right of corporation to lien upon shares of stock. |
| § 5. Effect of delivery of certificate. | § 16. Alteration of certificate. |
| § 6. Effect of indorsement of certificate. | § 17. Courts to order reissue of lost or destroyed certificates, etc. |
| § 7. Delivery or indorsement obtained by fraud. | § 18. Rules of law and equity to govern in certain cases. |
| § 8. Right of purchaser of shares or certificates of stock which have been rescinded. | § 19. Interpretation of Act. |
| § 9. Transfer of certificate without indorsement. | § 20. Certificate indorsed by signing power of attorney. |
| § 10. Transfer of certificate without delivery. | § 21. Apparent ownership. |
| § 11. Implied warranty in transferring certificates. | § 22. Definition of terms used in Act. |
| | § 23. Act not retrospective. |
| | § 24. Repeal. |
| | § 25. Citation of Act. |

(HOUSE BILL NO. 293. FILED JUNE 28, 1917.)

AN ACT to make uniform the law of transfer of shares of stock in corporation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Title to a certificate and to the shares represented thereby can be transferred only:

(a) By delivery of the certificate indorsed either in blank or to a specified person by the person appearing by the certificate to be the owner of the shares represented thereby, or

(b) By delivery of the certificate [certificate] and a separate document containing a written assignment of the certificate or a power of attorney to sell, assign, or transfer the same or the shares represented thereby, signed by the person appearing by the certificate to be the owner of the shares represented thereby. Such assignment or power of attorney may be either in blank or to a specified person.

The provisions of this section shall be applicable although the charter or articles of incorporation or code of regulations or by-laws of the

corporation issuing the certificate and the certificate itself, provide that the shares represented thereby shall be transferable only on the books of the corporation or shall be registered by a registrar or transferred by a transfer agent.

§ 2. Nothing in this Act shall be construed as enlarging the powers of an infant or other person lacking full legal capacity, or of a trustee, executor or administrator, or other fiduciary, to make a valid indorsement, assignment or power of attorney.

§ 3. Nothing in this Act shall be construed as forbidding a corporation

(a) To recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, and to vote as such owner, or

(b) To hold liable for calls and assessments a person registered on its books as the owner of shares.

§ 4. The title of a transferee of a certificate under a power of attorney or assignment not written upon the certificate, and the title of any person claiming under such transferee, shall cease and determine if, at any time prior to the surrender of the certificate to the corporation issuing it, another person, for value in good faith, and without notice of the prior transfer, shall purchase and obtain delivery of such certificate with the indorsement of the person appearing by the certificate to be the owner thereof, or shall purchase and obtain delivery of such certificate and the written assignment or power of attorney of such person, though contained in a separate document.

§ 5. The delivery of a certificate to transfer title in accordance with the provisions of section 1, is effectual, except as provided in section 7, though made by one having no right of possession and having no authority from the owner of the certificate or from the person purporting to transfer the title.

§ 6. The indorsement of a certificate by the person appearing by the certificate to be the owner of the shares represented thereby is effectual, except as provided in section 7, though the indorser or transferor,

(a) was induced by fraud, duress or mistake, to make the indorsement or delivery, or

(b) has revoked the delivery of the certificate, or the authority given by the indorsement or delivery of the certificate, or

(c) has died or become legally incapacitated after the indorsement, whether before or after the delivery of the certificate, or

(d) has received no consideration.

§ 7. If the indorsement or delivery of a certificate

(a) was procured by fraud or duress, or

(b) was made under such mistake as to make the indorsement or delivery inequitable; or

If the delivery of a certificate was made

(c) without authority from the owner, or

(d) after the owner's death or legal incapacity, the possession of the certificate may be reclaimed and the transfer thereof rescinded, unless:

(1) The certificate has been transferred to a purchaser for value in good faith without notice of any facts making the transfer wrongful, or

(2) The injured person has elected to waive the injury, or has been guilty of laches in endeavoring to enforce his rights.

Any court of appropriate jurisdiction may enforce specifically such right to reclaim the possession of the certificate or to rescind the transfer thereof and, pending litigation, may enjoin the further transfer of the certificate or impound it.

§ 8. Although the transfer of a certificate or of shares represented thereby has been rescinded or set aside, nevertheless, if the transferee has possession of the certificate or of a new certificate representing part or the whole of the same shares of stock, a subsequent transfer of such certificate by the transferee, mediately or immediately, to a purchaser for value in good faith, without notice of any facts making the transfer wrongful, shall give such purchaser an indefeasible right to the certificate and the shares represented thereby.

§ 9. The delivery of a certificate by the person appearing by the certificate to be the owner thereof without the indorsement requisite for the transfer of the certificate and the shares represented thereby, but with intent to transfer such certificate or shares, shall impose an obligation, in the absence of an agreement to the contrary, upon the person so delivering, to complete the transfer by making the necessary indorsement. The transfer shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

§ 10. An attempted transfer of title to a certificate or to the shares represented thereby without delivery of the certificate shall have the effect of a promise to transfer and the obligation, if any, imposed by such promise shall be determined by the law governing the formation and performance of contracts.

§ 11. A person who for value transfers a certificate, including one who assigns for value a claim secured by a certificate, unless a contrary intention appears, warrants—

(a) That the certificate is genuine.

(b) That he has a legal right to transfer it, and

(c) That he has no knowledge of any fact which would impair the validity of the certificate.

In the case of an assignment of a claim secured by a certificate, the liability of the assignor upon such warranty shall not exceed the amount of the claim.

§ 12. A mortgagee, pledgee, or other holder for security of a certificate who in good faith demands or receives payment of the debt for which such certificate is security, whether from a party to a draft drawn for such debt, or from any other person, shall not by so doing be deemed to represent or to warrant the genuineness of such certificate, or the value of the shares represented thereby.

§ 13. No attachment or levy upon shares of stock for which a certificate is outstanding shall be valid until such certificate be actually seized by the officer making the attachment or levy, or be surrendered to the corporation which issued it, or its transfer by the holder be enjoined. Except where a certificate is lost or destroyed, such corporation shall not be compelled to issue a new certificate for the stock until the old certificate is surrendered to it.

§ 14. A creditor whose debtor is the owner of a certificate shall be entitled to such aid from courts of appropriate jurisdiction, by injunction and otherwise, in attaching such certificate or in satisfying the claim by means thereof as is allowed at law or in equity, in regard to property which cannot readily be attached or levied upon by ordinary legal process.

§ 15. There shall be no lien in favor of a corporation upon the shares represented by a certificate issued by such corporation and there shall be no restriction upon the transfer of shares so represented by virtue of any by-laws of such corporation, or otherwise, unless the right of the corporation to such lien or the restriction is stated upon the certificate.

§ 16. The alteration of a certificate, whether fraudulent or not and by whomsoever made, shall not deprive the owner of his title to the certificate and the shares originally represented thereby, and the transfer of such a certificate shall convey to the transferee a good title to such certificate and to the shares originally represented thereby.

§ 17. Where a certificate has been lost or destroyed, a court of competent jurisdiction may order the issue of a new certificate therefor on service of process upon the corporation and on reasonable notice by publication, and in any other way which the court may direct, to all persons interested, and upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the corporation or any person injured by the issue of the new certificate from any liability or expense, which it or they may incur by reason of the original certificate remaining outstanding. The court may also in its discretion order the payment of the corporation's reasonable costs and counsel fees.

The issue of a new certificate under an order of the court as provided in this section, shall not relieve the corporation from liability in damages to a person to whom the original certificate has been or shall be transferred for value without notice of the proceedings or of the issuance of the new certificate.

§ 18. In any case not provided for by this Act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent, executors, administrators and trustees, and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall govern.

§ 19. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

§ 20. A certificate is indorsed when an assignment or a power of attorney to sell, assign, or transfer the certificate or the shares represented thereby is written on the certificate and signed by the person appearing by the certificate to be the owner of the shares represented thereby, or when the signature of such person is written without more upon the back of the certificate. In any of such cases a certificate is indorsed, though it has not been delivered.

§ 21. The person to whom a certificate was originally issued is the person appearing by the certificate to be the owner thereof, and of the shares represented thereby, until and unless he indorses the certificate to another specified person, and thereupon such other specified person is the person appearing by the certificate to be the owner thereof until and unless he also indorses the certificate to another specified person. Subsequent special indorsements may be made with like effect.

§ 22. (1) In this Act, unless the context or subject matter otherwise requires—

“Certificate” means a certificate of stock in a corporation organized under the laws of this State or of another state whose laws are consistent with this Act.

“Delivery” means voluntary transfer of possession from one person to another.

“Person” includes a corporation or partnership or two or more persons having a joint or common interest.

To “purchase” includes to take as mortgagee or as pledgee.

“Purchaser” includes mortgagee and pledgee.

“Shares” means a share or shares of stock in a corporation organized under the laws of this State or of another state whose laws are consistent with this Act.

“State” includes state, territory, district and insular possessions of the United States.

“Transfer” means transfer of legal title.

“Title” means legal title and does not include a merely equitable or beneficial ownership or interest.

“Value” is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a certificate is taken either in satisfaction thereof or as security therefor.

(2) A thing is done “in good faith” within the meaning of this Act, when it is in fact done honestly, whether it be done negligently or not.

§ 23. The provisions of this Act apply only to certificates issued after the taking effect of this Act.

§ 24. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

§ 25. This Act may be cited as the Uniform Stock Transfer Act.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

COUNTIES.

BONDS FOR CONSTRUCTION OF PUBLIC ROADS LEGALIZED.

§ 1. Legalizes issues of county bonds voted for construction of public roads and abates pending suits. § 2. Emergency.

(HOUSE BILL No. 116. APPROVED MARCH 24, 1917.)

AN ACT to legalize and make valid county bonds voted for the purpose of constructing and improving public roads, and to confer upon the proper county boards full power and authority to issue any such bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where, at any election heretofore called by the county board of any county in this State, a proposition to issue the bonds of such county for the purpose of constructing and improving public roads therein has been submitted to the legal voters of such county, and a majority of the legal voters voting at such election on such proposition have voted in favor thereof, each such election heretofore held is hereby made legal and valid and sufficient to authorize the county board to issue such bonds and any bonds hereafter issued by the county board of each such county, in pursuance of any such election, are hereby made the legal, valid and binding obligations of such county, and full power and authority is hereby given to and conferred upon the county board of each such county to issue the bonds so voted, notwithstanding any objection which, except for the passage of this Act, could have been made to the power of the county board in the premises, or to the legality of such bonds, or to such bond election, or to any proceedings pertinent thereunto, or to the taxes levied or to be levied for the payment of principal of and interest on such bonds and any and all suits now pending in any of the courts of this State attacking the legality of any such bonds or bond elections, or any proceedings pertinent to such bonds, or enjoining the issuing of such bonds, or the levying of such taxes, are hereby abated.

§ 2. WHEREAS, an emergency exists, therefore, this Act shall be in full force and effect from and after its passage and approval.

APPROVED March 24, 1917.

TAX LEVY IN ADDITION TO CONSTITUTIONAL LIMIT.

§ 1. Amends section 27, Act of 1874 as subsequently amended.

§ 27½. Emergency.

§ 27. As amended, provides when it is necessary to raise a tax in addition to the constitutional limit the county board may submit the question of issuing bonds and voting a tax at any election for township officers or at a special election called for that purpose.

(SENATE BILL NO. 2. APPROVED MARCH 8, 1917.)

AN ACT to amend section 27 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by subsequent Acts, and to add thereto section 27½.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 27 of an Act entitled "An Act to revise the law in relation to counties" approved and in force March 31, 1874, as amended by subsequent Acts be and hereby is amended so as to read as follows:

§ 27. Whenever the county board shall deem it necessary to assess taxes the aggregate of which shall exceed the rate of seventy-five cents per one hundred dollars valuation of the property of the county, except when such excess is to be used for the payment of indebtedness existing at the adoption of the Constitution, the county board may, by an order entered of record, set forth substantially the amount of such excess required, the purpose for which the same will be required, and the number of years such excess will be required to be levied, and if for the payment of interest or principal or both upon bonds shall, in a general way designate the bonds and specify the number of years such excess will be required to be levied, and provide for the submission of the question of assessing the additional rate required to a vote of the people of the county at the next election for county officers or at any judicial election held in such county after the adoption of the resolution.

Provided if such additional rate required is for the purpose of building a court house or any other public building for the county, a special election may be held for such purpose, and it shall be the duty of the county clerk in his election notice to give notice of such submission. The votes therefor shall be "For additional tax," and those against shall be "Against additional tax." The votes shall be canvassed and returned the same as those for county officers, and if a majority of the votes cast upon the question are "for additional tax," then the county board shall have the power to cause such additional tax to be levied and collected in accordance with the terms of such resolution, and the money so collected shall be kept as a separate fund and disbursed only for the purpose for which the same was raised.

Provided, any surplus that may remain after the payment of all demands against said fund, may be used for other purposes, (as amended by Act approved and in force May 14, 1909.) and be it further provided

that if the county board so decides, the question of voting bonds and additional tax for the payment of interest or principal, or both, may be submitted at any election for township officers, or at a special election, called for such purpose.

§ 27½. WHEREAS an emergency exists, this Act shall be enforced [in force] from and after the date of its passage.

APPROVED March 8, 1917.

COURTS.

APPELLATE COURTS—SECRETARY TO JUDGE.

§ 1. Amends sections 1 and 2, Act of 1899.

§ 2. As amended, fixes compensation of clerk.

§ 1. As amended, provides Circuit and Superior Court judges assigned to duty in the Appellate Court shall be allowed a clerk who shall be a licensed attorney.

(HOUSE BILL NO. 707. APPROVED JUNE 14, 1917.)

AN ACT to amend sections one (1) and two (2) of an Act entitled, "An Act to provide for the appointment of one clerk for each of the judges for each Appellate Court and to fix the salary of such clerks," approved April 17, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of an Act entitled, "An Act to provide for the appointment of one clerk for each of the judges for each Appellate Court and to fix the salary of such clerks," approved April 17, 1899, in force July 1, 1899, be and the same are hereby amended to read as follows:

§ 1. Circuit and Superior Court judges who are duly assigned to duty as judges in any of the districts or branches of the Appellate Court of this State, and who are actually performing such duty, shall be allowed a clerk for each of said judges, to be appointed by them respectively, such appointment to be made in writing, which said writing shall be filed with the Auditor of the State. Each clerk so appointed shall be a licensed attorney of the State of Illinois.

§ 2. Said clerk shall receive as full compensation a salary of two thousand dollars (\$2,000), per annum, payable monthly on the warrant of said Auditor out of any money in the treasury not otherwise appropriated.

APPROVED June 14, 1917.

CIRCUIT COURTS—TERMS IN SECOND CIRCUIT.

§ 1. Amends section 3, Act of 1915.

§ 2. Emergency.

§ 3. As amended, prescribes regulations for the calling of grand juries.

(HOUSE BILL NO. 758. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law concerning the time of holding the terms of Circuit Court and of the calling of juries in the several judicial circuits, exclusive of Cook County,*" approved June 23, 1915, in force July 1, 1915, by amending section 3 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law concerning the time of holding the terms of Circuit Court and of the calling of juries in the several judicial circuits, exclusive of Cook County,*" approved June 23, 1915, in force July 1, 1915, be and is hereby amended by amending section 3 thereof to read as follows:

§ 3. (Second Circuit). In the county of Hardin on the fourth Monday of March, the second Mondays of July and November, provided that there shall be no grand or traverse jury summoned for the July term of said court unless by special order of the judge of said court, which order may be made either in term time or in vacation; in the county of Gallatin on the first Mondays of April, June and October, provided that there shall be no grand or traverse jury summoned for said June term of said court unless by special order of the judge of said court, which order may be made either in term time or in vacation; in the county of White on the third Monday in January and the second Mondays of May and October, *provided*, that there shall be no grand or traverse jury summoned for said January term of said court unless by special order of the judge of said court, which order may be made either in term time or in vacation; in the county of Hamilton on the fourth Mondays of February and September; in the county of Franklin on the first Monday of February, the fourth Monday of May, the second Monday of September and the fourth Monday of November, *provided*, that no grand jury or traverse jury shall be summoned for said February and September terms unless so ordered by the court, which order may be made either in term time or in vacation; in the county of Wabash on the third Mondays of April and November; in the county of Edwards, on the second Mondays of April and November; in the county of Wayne on the third Mondays in January, March, June and October; in the county of Jefferson on the second Mondays of January, April, July and October, provided that there shall be no jury summoned for the July term of court in said county, unless by special order of the judge of said court, which order may be made either in term time or in vacation; in the county of Richland on the third Mondays of April, July and November, provided that no jury shall be impaneled for the July term unless by special order of the judge of said court, which order may be made either in term time or in vacation; in the county of Lawrence on the first Mondays of May, October and February, provided that no jury

shall be impaneled for the February term except by special order of a judge of said court, which order may be made either in term time or in vacation; in the county of Crawford on the first Mondays of March, September and December, provided no jury shall be summoned for said December term unless by special order of a judge of said court, which order may be entered either in term time or in vacation.

§ 2. WHEREAS, an emergency exists, therefor this Act shall take effect and be in full force from and after its passage and approval.

APPROVED June 11, 1917.

COURT OF CLAIMS—POWERS AND DUTIES.

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| § 1. Court of Claims created. | § 8. Decisions. |
| § 2. Appointments of members—terms of office. | § 9. File report of findings. |
| § 3. Oath. | § 10. Claims—time of filing. |
| § 4. Salary. | § 11. Attorney General to represent the State. |
| § 5. Secretary of State, secretary of the court. | § 12. Jurisdiction in claims pending. |
| § 6. Powers and duties. | § 13. Exclusive jurisdiction. |
| § 7. Subpoena—contempt. | § 14. Act repealed. |

(SENATE BILL NO. 551. APPROVED JUNE 25, 1917.)

AN ACT to create the Court of Claims and to prescribe its power and duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The Court of Claims is hereby created. It shall consist of a chief justice and two judges, appointed by the Governor by and with the advice and consent of the Senate. In any case of vacancy in such office during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor is appointed and qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make a temporary appointment as in case of a vacancy.

§ 2. The term of office of the chief justice and of each judge shall be four years from the second Monday in January next after the election of a Governor, and until his successor is appointed and qualified.

§ 3. Before entering upon the duties of the office the chief justice and each judge shall take and subscribe the constitutional oath of office, which shall be filed in the office of the Secretary of State.

§ 4. The chief justice and each judge shall each receive a salary of fifteen hundred dollars per annum, payable in equal monthly installments.

§ 5. The Secretary of State shall be *ex officio* secretary of the Court of Claims. He shall provide the court with a suitable place in the Capitol Building in which to transact its business.

§ 6. The Court of Claims shall have power:

(1) To make rules and orders, not inconsistent with law, for carrying out the duties imposed upon it by law;

(2) To make rules governing the practice and procedure before the court, which shall be as simple, expeditious and inexpensive as reasonably may be;

(3) To compel the attendance of witnesses before it, or before any notary public or any commissioner appointed by it, and the production of any books, records, papers or documents that may be material or relevant as evidence in any matter pending before it;

(4) To hear and determine all claims and demands, legal and equitable, liquidated and unliquidated, *ex contractu* and *ex delicto*, which the State, as a sovereign commonwealth, should, in equity and good conscience discharge and pay;

(5) To hear and give its opinion on any controverted questions of claims or demand referred to it by any officer, department, institution, board, arm or agency of the State Government and to report its findings and conclusions to the authority by which it was transmitted for its guidance and action;

(6) To hear and determine the liability of the State for accidental injuries or death suffered in the course of employment by any employee of the State, such determination to be made in accordance with the rules prescribed in the Act commonly called the "Workmen's Compensation Act," the Industrial Commission being hereby relieved of any duty relative thereto.

§ 7. In case any person refuses to comply with any subpoena issued in the name of the chief justice, attested by the Secretary of State, with the seal of the State attached, and served upon the person named therein as a summons at common law is served, the Circuit Court of the proper county, on application of the secretary of the Court, shall compel obedience by attachment proceedings, as for contempt, as in a case of a disobedience of the requirements of a subpoena from such court on a refusal to testify therein.

§ 8. The concurrence of two members of the court shall be necessary to the decision of any case.

§ 9. The court shall file a brief written statement of the reasons for its determination in each case. In case the court shall allow a claim, or any part thereof, which it has the power to hear and determine, it shall make and file an award in favor of the claimant finding the amount due from the State of Illinois. Annually the secretary of the court shall compile and publish the opinions of the court.

§ 10. Every claim against the State, cognizable by the Court of Claims, shall be forever barred unless the claim is filed with the secretary of the court within five years after the claim first accrues, saving to infants, idiots, lunatics, insane persons and persons under disability at the time the claim accrued two years from the time the disability is removed.

§ 11. The Attorney General shall appear for and represent the interests of the State in all matters before the court.

§ 12. All claims now pending in the Court of Claims created under "An Act to create the Court of Claims and prescribe its powers and duties," approved May 16, 1903, in force July 1, 1903, shall be heard and determined by the Court of Claims created by this Act in accordance with the provisions hereof.

§13. The jurisdiction conferred upon the Court of Claims by this Act shall be exclusive. No appropriation shall hereafter be made by the General Assembly to pay any claim or demand, over which the Court of Claims is herein given jurisdiction, unless an award therefor shall have been made by the Court of Claims.

§14. The following Act is hereby repealed: "An Act to limit the time for persons to bring claims against the State of Illinois," approved and in force March 1, 1847.

APPROVED June 25, 1917.

COUNTY COURTS—TERMS.

§ 1. Amends sections 43, 68 and 106, Act of 1874.

§ 68. Terms in Madison County.

§ 43. Terms in Hardin County.

§ 106. Terms in Will County.

(HOUSE BILL NO. 14. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to extend the jurisdiction of County Courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named,*" approved March 26, 1874, in force July 1, 1874, as subsequently amended, by amending sections forty-three (43), sixty-eight (68) and one hundred six (106) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to extend the jurisdiction of County Courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended, by amending sections forty-three (43), sixty-eight (68) and one hundred six (106) thereof, so that the said sections forty-three (43), sixty-eight (68) and one hundred six (106) when amended shall read as follows:

§ 43. In the county of Hardin on the fourth Monday of February and second Monday in September.

§ 68. Madison, second Mondays in February, June and September.

§ 106. Will, on the first Monday in February, April, June, August, October and December.

APPROVED June 25, 1917.

COUNTY AND PROBATE JUDGES.

§ 1. County or probate judge not to act as attorney for administrator.

§ 2. Penalty.

§ 3. Repeal.

(HOUSE BILL NO. 40. APPROVED MAY 5, 1917.)

AN ACT in relation to county and probate judges.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any

judge of any County or Probate Court in this State, to act as attorney or solicitor for any administrator, executor, or heirs, or other person or persons (unless he be an officer of the court) interested in the estate of any deceased person, or to aid, advise or assist in the preparation of any petitions, report or other document, which is to be filed or recorded in the court in which he is judge.

§ 2. PENALTY.] That any county or probate judge, who shall violate the provisions of this Act, shall be fined not less than one hundred dollars, nor more than one thousand dollars.

§ 3. That an Act entitled, "An Act in relation to county and probate judges," approved June 3, 1897, in force July 1, 1897, be and the same is hereby repealed.

APPROVED May 5, 1917.

COURTS OF RECORD IN CITIES.

§ 1. Amends section 5, Act of 1901.

§ 5. Election and qualifications
of judges—term—powers
—vacancies—how filled.

(HOUSE BILL NO. 925. FILED JUNE 27, 1917.)

AN ACT to amend an Act entitled, "An Act in relation to courts of record in cities," approved May 10, 1901, in force July 1, 1901, as subsequently amended, by amending section five (5) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act in relation to courts of record in cities," approved May 10, 1901, in force July 1, 1901, as subsequently amended, be, and the same is hereby amended by amending section five (5) thereof to read as follows:

§ 5. The judges of such courts shall be regularly licensed attorneys and shall be elected by the qualified voters of such city in the same manner that the city officers of such city are elected, but not at the same time, and shall hold their offices for the term of four years, and until their successors are elected and qualified. They shall qualify and be commissioned in the same manner, be vested with the same powers and perform the same duties as circuit judges, and have the right to appoint a court reporter on the same terms as the Circuit Court, and shall be styled "judge of the city court of (name of city)." Vacancies in such office shall be filled for the unexpired term at a special election to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the Governor.

FILED June 27, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-seventh day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

INCREASING NUMBER OF JUDGES OF SUPERIOR COURT OF COOK COUNTY.

- § 1. Number judges Superior Court Cook County increased from 18 to 20. § 3. Method of nomination.
- § 2. Additional judges to be elected in November, 1917, and every six years thereafter.

(SENATE BILL NO. 573. APPROVED JUNE 25, 1917.)

AN ACT to provide for an increase in the number of judges of the Superior Court of Cook County and to provide for the nomination of candidates for said judicial offices.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, as it appears by the Federal census of 1910 that the number of inhabitants of the county of Cook is over two millions four hundred thousand (2,400,000) and that therefore the General Assembly is authorized under section 23 of article 6 of the Constitution of this State to provide for nine (9) additional judges of the Circuit or Superior Courts of said county, therefore the number of judges of the Superior Court of the county of Cook be, and the same is hereby increased from eighteen (18), its present number, to twenty (20).

§ 2. On Tuesday after the first Monday of November in the year 1917, and every six (6) years thereafter the two (2) additional judges of said Superior Court herein provided for shall be elected, to hold their offices for a term of six (6) years and until their successors shall be elected and qualified.

§ 3. The nomination for said additional offices shall be made in the same manner as is now or shall hereafter be provided by law for the nomination of candidates for the existing offices of judges of the Superior Court of Cook County.

APPROVED June 25, 1917.

MUNICIPAL COURT OF CHICAGO.

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| <p>§ 1. Amends sections 40, 42 and 48, Act of 1905.</p> <p>§ 40. Cases brought in fourth class commenced by filing praecipe for a summons—shall specify what—bill of particulars—when defendant notified by publication or posting notices.</p> | <p>§ 42. Service of summons—return.</p> <p>§ 48. Practice in cases of attachment, etc., in cases of fourth class same as now prescribed in courts of record—exceptions.</p> <p>§ 2. Submission to vote.</p> |
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(HOUSE BILL NO. 322. APPROVED MAY 18, 1917.)

AN ACT to amend sections 40, 42 and 48 of an Act entitled, "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905 and in force July 1, 1905 as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 40, 42 and 48 of an Act entitled "An Act in relation to a municipal court in the city of Chicago," approved May 18, 1905, and in force July 1, 1905, as subsequently amended, be and the same are hereby amended to read as follows:

§ 40. That every case of the fourth class mentioned in section two (2) of this Act, excepting attachment suits, garnishment suits, replevin suits, cases of distress for rent, forcible entry and detainer suits, and trials of the right of property, brought in the municipal court, shall be commenced by the filing by the plaintiff with the clerk of a praecipe for a summons, specifying the names of the parties to the suit, the amount of the plaintiff's claim and the day at which the summons shall be made returnable which day shall not be less than five (5) nor more than fifteen (15) days from the filing of the praecipe and a statement of the plaintiff's claim, which statement if the suit be upon a contract, express or implied, shall consist of a statement of the account or of the nature of the demand, or, if the suit be for a tort, it shall consist of a brief statement of the nature of the tort and such further information as will reasonably inform the defendant of the nature of the case he is called upon to defend, but nothing herein contained shall be construed to require the statement of claim in any action for a tort to set forth the cause of action with the particularity required in a declaration at common law: *Provided*, it shall not be necessary to file a praecipe or to issue any summons in case the defendant is to be notified by publication or posting of notices. In cases of the fourth class mentioned in said section two (2) of this Act, the municipal court may adopt such rules and regulations as it may deem necessary to enable the parties, in advance of the trial to ascertain the nature of the plaintiff's claim or claims or of the defendant's defense or defenses. No summons, however, need be issued or served in the case of the confession of a judgment in a case of the fourth class, but, such judgment may be confessed in the same manner, as near as may be, as in a similar case in the Circuit Court.

§ 42. That every such summons issued out of the Municipal Court shall be served upon the defendant by the same method and in the same manner as if the summons had issued out of the Circuit Court and shall be served by the bailiff of said court unless other provisions of law be made therefor. There shall be attached to the copy of the summons thus served a copy of the plaintiff's praecipe and statement of claim. In case said summons shall not be served upon the defendant three days or more prior to the return day thereof an alias summons may be issued, and a subsequent pluries summons may be issued in any case when a previous alias or pluries summons shall not have been served upon the defendant three days or more prior to the return day fixed in the previous summons. Service of such alias or pluries summons shall be made in the same manner as that above provided for the service of the original summons. It shall be the duty of the bailiff to return every summons immediately upon the expiration of the time within which the same is required to be served upon the defendant.

§ 48. That the practice and proceedings in the Municipal Court, other than the mode of trial and the proceedings subsequent to trial, in cases of attachment, garnishment, replevin, distress for rent, and forcible detainer, included within the cases of the fourth class mentioned in section two (2) of this Act, shall be the same, as near as may be, as that which is now prescribed by law for similar cases in other courts of record with the following exceptions:

First: (a) In attachment, garnishment, replevin, distress for rent and forcible detainer cases, no statement shall be necessary. An affidavit for attachment, garnishment, replevin, copy of the distress warrant and complaint in forcible detainer shall be the only written pleadings required, except such written pleadings or statements as may be required from time to time by the rules of the Municipal Court. In garnishment cases, the party for whose use the proceedings are instituted shall be designated plaintiff, the judgment debtor shall be designated defendant and the party upon whom garnishment process is served shall be designated garnishee.

(b) If the plaintiff, his agent or attorney shall file in any attachment, replevin, distress for rent or forcible detainer suit an affidavit stating that the defendant is not a resident of this State, or has departed from this State, or on due inquiry cannot be found, or is concealed within this State so that process cannot be served upon him, and also stating the place of residence of the defendant, if known, and if not known, that upon diligent inquiry the affiant has not been able to ascertain the same, then if the case be attachment or distress for rent case and the amount claimed by the plaintiff, exclusive of costs, does not exceed two hundred dollars, or if the case be a forcible detainer case and no claim for rent is joined with the complaint for possession the defendant may be notified by posting and mailing of notices as hereinafter provided in this section; but if the case be an attachment or distress for rent case and the amount claimed by the plaintiff, exclusive of costs, exceeds two hundred dollars, or if the case be replevin, the defendant may be notified by publication or publication and mailing of notices as hereinafter provided in this section; if the case be one of the trial of the right of property or any other case where others interested in the litigation should be notified, such notice to the defendant and others interested shall be given as shall be ordered by the court.

(c) Whenever notice by publication is required or proper to be given to any defendant, it shall be the duty of the clerk of said court to give notice by publication at least once in each week for three weeks successively in some newspaper of general circulation published in said city of Chicago, which notice shall be directed to the defendant, shall state the nature of the process against the defendant, at whose instance issued, the amount claimed to be due, if for a money demand, the time and place of trial, and shall also state that unless said defendant shall appear at the time and place fixed for trial, judgment will be entered by default, and shall also state the character of the judgment that will be rendered in said cause and of the execution that will be issued thereon, and the clerk of the court shall mail to each of the defendants at their last known places of residence as stated in the affidavit filed as a foundation for said publication, a copy of said notice within ten days after the first day of the publication of the same. Whenever notice by posting is required or proper to be given to any defendant, said notice shall be in the name of the clerk of the court, be directed to the defendant, shall state the nature of the process against the defendant and at whose instance issued, the amount claimed to be due if for a money de-

mand, the time and place for trial, and shall also state that unless said defendant shall appear at the time and place fixed for trial, judgment will be entered by default, and shall also state the character of the judgment that will be rendered in said cause and of the execution that will be issued thereon, three copies of which notice the bailiff shall post in three public places in the neighborhood of the court where said cause is to be tried, at least ten days prior to the day set for the trial, and if the place of residence of the defendant is stated in any affidavit on file, the bailiff shall at the same time mail one copy of the notice addressed to such defendant at such place of residence and on or before the day set for trial said bailiff shall file said notice with an endorsement thereon stating the time when and places where he posted and to whom and at what address he mailed copies as herein required. For want of sufficient notice any cause may be continued from time to time until the court has jurisdiction of any defendant.

Second: In attachment cases the defendant, at the time of his appearing in person, or of his entering his appearance in writing, if he shall desire to be permitted to present any set-off or counter claim shall file a statement thereof.

Third: In forcible detainer cases the plaintiff may unite with his claim for possession of the property any claim for rent or damages for withholding possession thereof, and in such cases the service of summons, practice and proceedings shall be as provided by this Act for fourth class cases regardless of the amount of such claim for rent or damages, except that where such amount exceeds \$1,000 the costs shall be as in first class cases.

§ 2. That this Act shall be submitted to a vote of the legal voters of the city of Chicago at the first regular municipal, judicial, general or special election which shall occur in said city of Chicago, after the first day of July, A. D. 1917. The ballot to be used at said election in voting upon this Act shall be in substantially the following form:

<p>For consenting to the Act relating to the service of summons and the practice and proceedings in the Municipal Court of Chicago, entitled, "An Act to amend sections 40, 42 and 48 of an Act entitled 'An Act in relation to a Municipal Court in the city of Chicago' approved May 18, 1905, and in force July 1, 1905, as subsequently amended."</p>	
<p>Against consenting to the Act relating to the service of summons and the practice and proceedings in the Municipal Court of Chicago, entitled, "An Act to amend sections 40, 42 and 48 of an Act entitled, 'An Act in relation to a Municipal Court in the city of Chicago' approved May 18, 1905, and in force July 1, 1905, as subsequently amended."</p>	

If a majority of the legal voters of said city voting on the question at such election shall vote in favor of consenting to this Act, the same shall thereupon take effect and become operative.

APPROVED May 18, 1917.

MUNICIPAL COURT OF CHICAGO.

§ 1. Amends sections 50, 62 and 63, Act of 1905.

§ 50. Provides for bail either before or after complaint and the disposition of cash bail, etc.

§ 62. Provides for preparation of abbreviated and amplified forms and entries of orders, judgments and decrees by the chief justice of Municipal Court, etc.

63. Provides for judgment, order or decree of court to become lien on real estate, etc.

§ 2. Referendum of amendments.

(HOUSE BILL No. 402. FILED JUNE 28, 1917.)

AN ACT to amend sections 50, 62 and 63 of an Act entitled, "An Act in relation to a Municipal Court in the city of Chicago," approved May 18, 1905, and in force July 1, 1905, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 50, 62 and 63 of an Act entitled, "An Act in relation to a Municipal Court in the city of Chicago," approved May 18, 1905, and in force July 1, 1905, as subsequently amended, be and the same are hereby amended to read as follows:

§ 50. Upon the arrest of any person for any criminal or *quasi* criminal offense within the jurisdiction of the Municipal Court, any judge of the Municipal Court, or any judge of the Circuit or Superior Court of Cook County, shall have power to let such person to bail either before or after complaint or information filed; and in case of the arrest of any person for any *quasi* criminal offense, or for any offense when the punishment is by fine or imprisonment otherwise than in the penitentiary, the general superintendent of police or any captain or lieutenant or sergeant of police of the city of Chicago, or any deputy clerk designated for that purpose by an order signed by a majority of the judges of the Municipal Court shall have power to let such person to bail either before or after complaint or information is filed. The bail bond in any criminal or *quasi* criminal case shall be payable to the People of the State of Illinois for the use of the parties interested and conditioned for the personal appearance of the person arrested before a certain branch court or any other branch court to which the cause may be transferred at a time fixed in said bond for such personal appearance, and from day to day thereafter until the final judgment or order of the court, and in default of such personal appearance in any criminal case for the immediate payment of the penalty of said bond, and in any *quasi* criminal case for the immediate payment of any judgment that may be rendered in said case. The fact that bail or cash deposit in lieu thereof may have been taken to answer to a certain charge before the filing of any complaint or information and the complaint or

information afterwards filed charge a different offense, either against the same or a different corporate authority, or that a bond may have been taken for either a larger or smaller amount than may have been required by order or rule of court, shall be no objection to its validity. Any bond so taken shall be signed by one or more sureties to be approved by such judge or officer, who shall be authorized and required to administer oaths for the purpose of ascertaining the sufficiency of the sureties. All bonds so taken shall be filed with the clerk of the Municipal Court at the branch court at which the person so arrested is required to appear. The exercise of the power hereby conferred of letting to bail shall be subject to regulations by such rules as may be adopted by a majority of the judges of the Municipal Court, as herein provided. But any person so arrested shall have the right to be brought immediately before the Municipal Court in the district in which he is arrested, or, if there be no judge then in attendance upon such court, before the Municipal Court in any other district at which there may be then a judge in attendance, to be dealt with by such court according to law. The court may by rule provide that any defendant arrested in any criminal case in which the punishment is by fine or imprisonment otherwise than in the penitentiary, or in any *quasi* criminal case, in lieu of giving other bail for his personal appearance or any person for said defendant, may deposit with the clerk or with the police officer letting such person to bail, to be by such police officer paid over to the clerk within twenty-four hours after such deposit is made, such sum of money as cash bail as by order or rule of court may be determined to be sufficient to secure his personal appearance at the time or times fixed therefor, such sum to be forfeited in case the defendant shall fail to appear in person at the time or times so fixed, and to be accounted for by the clerk of said court the same as if the defendant had executed a bail bond in the case in which the complaint or information is filed and such bail bond had been forfeited and collected: *Provided*, that in *quasi* criminal cases where the defendant does not appear as aforesaid, the judgment, if rendered against him, and costs shall be deducted from such cash deposit and the balance returned to the person depositing same. If, upon an application made at any time within thirty days after any forfeiture provided for in this section, it shall be proved to the satisfaction of the court that the defendant's failure to so appear was the result of serious illness, or other unavoidable accident, the court may, by order, set aside any forfeiture of bail or cash deposit. Said clerk shall hold any money ordered forfeited as aforesaid during the time that such forfeiture is subject to be so set aside. Other proceedings for the forfeiture of recognizances and bail bonds in criminal and *quasi* criminal cases shall be the same, as near as may be, as provided for the forfeiture of recognizances and bail bonds in criminal cases in the Criminal Court of Cook County.

§ 62. It shall be the duty of the Chief Justice of the Municipal Court to superintend the keeping of the records of said court. He shall have power and authority to prescribe abbreviated and amplified forms of entries of orders, judgments and decrees in said court, which abbreviated forms shall stand for and represent the respective amplified forms

thereof. The entry by any branch court of any order, judgment or decree in such abbreviated form shall, to all intents and purposes, and in legal effect, be the adoption by the court so directing such order, judgment or proceeding to be entered, of the prescribed amplified form or part thereof used, data supplied in the blanks in said abbreviated form being likewise in legal effect supplied in said amplified form, the court having regard for and contemplating said amplified form with said data as the true order, judgment or proceeding of the court, when so directing the same to be entered in such abbreviated form. And in such case any names, dates, amounts, or other words and figures that may accompany or be entered with such abbreviated form, shall be deemed to be, in legal effect, and to all intents and purposes, incorporated with said amplified form in the blank spaces therein as the context may require, and said amplified form, together with said names, dates, amounts and other words and figures as aforesaid, shall constitute the true proceedings and record thereof of the court, and may be fully carried into effect and the commands thereof executed, without any further elaboration or expansion of such abbreviated form. The commands of any such judgment, order or decree may be carried out and executed, liens thereof shall attach if such be the true legal import and effect thereof, and process may issue thereon immediately upon the same being rendered and before being entered of record, but the same shall be entered of record in abbreviated form or otherwise as soon after being rendered as practicable. And it shall constitute no objection to any such abbreviated form, that the same does not contain all the essential elements or matter contained in such amplified form, or that the words in said abbreviated form may be abbreviated. Said Chief Justice shall have power and authority to prescribe any rules and regulations concerning the adoption and use of any abbreviated and amplified forms or orders, judgments and decrees that are not inconsistent with this Act. Upon the preparation by the clerk of a certified transcript in amplified form of any proceedings in any cause that have been entered only in abbreviated form, or upon the request of any person for the extension in amplified form of any such proceedings and the payment to the clerk of the same fees as are required for a certified transcript, the clerk shall extend said proceedings in amplified form. Said proceedings so extended shall be accompanied by proper placita and preambles and shall be certified under the hand of the clerk and the seal of the court to be a true extended record of certain proceedings in such cause which extended record, when so certified, shall have placed thereon the file mark of the clerk and shall be preserved as a permanent record among the files of the cause.

§ 63. The judgments, orders and decrees of the Municipal Court shall have the same force, be of the same effect, be liens upon real estate or any interest therein in the city of Chicago, to the same extent and under the same circumstances, and be executed and enforced in the same manner as the judgments, orders and decrees of the Circuit Court of Cook County, except as is otherwise in this Act provided. No judgment, order or decree of the Municipal Court, the amount of which—

exclusive of costs—is, at the date of rendition thereof, less than two hundred dollars, shall be a lien upon real estate or any interest therein excepting from the time of the filing in the office of the clerk of the Circuit Court or registrar of titles, of a certified transcript or certificate, as provided for in this Act. Upon the filing in the office of the clerk of the Circuit Court of any county in this State of a transcript, certified under the hand and official seal of the clerk of the Municipal Court, of any judgment, order or decree of the Municipal Court, said judgment order or decree shall thenceforth have the same force, be of the same effect and be a lien upon unregistered real estate or any interest therein throughout such county to the same extent and under the same circumstances as a judgment, order or decree of the Circuit Court of such county. No judgment, order or decree of the Municipal Court shall be a lien upon or affect registered land or any estate or interest therein, until a certificate under the hand and official seal of the clerk of the Municipal Court, stating the date and purport of the judgment, order or decree, or a certified copy of such judgment, order or decree, is filed in the office of the registrar of titles of the county in which the land is situated, and a memorial of the same is entered upon the register of the last certificate of the title to be affected. In any case an execution issued on any judgment, order or decree of the Municipal Court, when against lands and tenements, goods and chattels within the city of Chicago, shall be directed to the bailiff; or in case he is disqualified from acting, then to the sheriff of Cook County, and shall be a lien upon all the personal property of the person against whom the judgment is obtained, situated within the city of Chicago, from the time it is delivered to the bailiff, or to the sheriff, to the same extent as an execution issued out of the Circuit Court of Cook County, when delivered to the sheriff, and may be levied upon the property, real or personal, of said person, situated at any place within the city of Chicago, to the same extent as an execution issued out of the Circuit Court of Cook County. But no execution upon a judgment, order or decree shall become a lien upon registered land, or any estate or interest therein, until said execution shall be levied on said real estate, and a certificate of the fact of such levy shall be filed with the registrar of titles of the county in which such real estate is situated, and a memorial thereof shall be entered upon the register of the last certificate of the title to be affected. Executions against lands, tenements, goods and chattels outside of the city of Chicago shall be directed to the sheriff; or in case he is disqualified from acting, to the coroner of the county in which such lands, tenements, goods and chattels are situated. Any execution, issued on any judgment of which a transcript has been filed in the office of the clerk of the Circuit Court of any county in this State, shall throughout the county in which said transcript is filed as aforesaid, be of the same force, have the same effect, be a lien to the same extent and be executed in the same manner as if said execution had issued on a judgment of the Circuit Court of Cook County.

§ 2. This Act shall be submitted to a vote of the legal voters of the city of Chicago at the first regular municipal, judicial, general or special election which shall occur in said city of Chicago after the date

of the passage of this Act. The ballots to be used at said election in voting upon this Act shall be in substantially the following form:

For consenting to the Act entitled, "An Act to amend sections 50, 62 and 63 of an Act entitled, 'An Act in relation to a Municipal Court in the city of Chicago,' approved May 18, 1905, and in force July 1, 1905, as subsequently amended."	
Against consenting to the Act entitled, "An Act to amend sections 50, 62 and 63 of an Act entitled, 'An Act in relation to a Municipal Court in the city of Chicago,' approved May 18, 1905, and in force July 1, 1905, as subsequently amended."	

If a majority of the legal voters of said city voting on the question at such election shall vote in favor of consenting to this Act, the same shall immediately thereupon take effect and become operative.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CRIMINAL CODE.

ADVERTISING OR PRESENTING OBSCENE OR INDECENT DRAMA, PLAY OR EXHIBITION.

§ 1. Amends Act of 1874, by adding section 224½.

§ 224½. Preparing, advertising or presenting obscene or indecent drama, play or exhibition—penalty.

(SENATE BILL NO. 129. APPROVED JUNE 21, 1917.)

AN ACT to amend an Act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, commonly known as the criminal code, by adding thereto an additional section to be known as section 224½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be amended by adding thereto an additional section to be known as section 224½ and to read as follows:

§ 224½. That any person who, prepares, advertises, gives, presents, or participates in, any obscene, or indecent drama, play, exhibition, show

or entertainment, and every person aiding or abetting such act, and every owner or lessee or manager of any theater, moving picture house, garden, building, room, place or structure, who leases or lets the same or permits the same to be used for the purposes of such drama, play, exhibition, show or entertainment, or who assents to the use of the same for any such purpose, shall be guilty of a misdemeanor, and upon conviction thereof, shall, for the first violation of this Act, be subject to a fine of not less than \$25.00 nor more than \$200.00 or imprisonment in the county jail or house of correction for not to exceed one year, or both such fine and imprisonment, in the discretion of the court; and for each subsequent offense, the defendant shall be subject to a fine of not less than \$50.00 nor more than \$500.00, or imprisonment in the county jail or house of correction for not to exceed one year, or both such fine and imprisonment, in the discretion of the court.

APPROVED June 21, 1917.

APPEALS.

§ 1. Amends division 15 of chapter 38, Act of 1874, by adding section 12.

§ 12. Provides for appeals to the Appellate or Supreme Court in certain criminal cases.

(HOUSE BILL NO. 144. APPROVED JUNE 25, 1917.)

AN ACT to amend Division 15 of Chapter 38, the same being an Act entitled, "An Act to revise the laws in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and the Acts amendatory thereof, by adding the following section to be known as section 12.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That division 15 of chapter 38, the same being an Act entitled, "An Act to revise the laws in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and the Acts amendatory thereof be amended by adding the following section to be known as section 12.

§ 12. Whenever any defendant has been convicted of any criminal offense, which under the law is bailable, and sentence has been imposed, and such defendant desires to prosecute a writ of error to either the Appellate or the Supreme Court, upon application to the presiding judge a reasonable time shall be fixed by said presiding judge in which to make application to the Supreme or Appellate Court, or some one of the justices thereof, for a supersedeas, during which time if the defendant shall have been admitted to bail the recognizance shall continue in force, or if he shall not have been admitted to bail then said presiding judge shall fix the amount of recognizance, and shall suspend the issuing of the mittimus for commitment during such reasonable time: *Provided*, that said presiding judge may in his discretion increase the amount of such bail and require the defendant to enter into a new recognizance during such time.

APPROVED June 25, 1917.

BAILABLE OFFENSES—RECOGNIZANCES—PROCEEDINGS THEREON.

§ 1. Amends sections 7, 8, 9 and 10 of division III of an Act to revise the law in relation to criminal jurisprudence.

§ 7. Sufficiency of bail—schedule.

§ 8. Proof of sufficiency of bail.

§ 9. No recognizance voidable for want of form.

§ 10. Recognizance delivered to clerk.

(HOUSE BILL NO. 995. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending sections 7, 8, 9, and 10 of division III thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by amending sections 7, 8, 9, and 10 of division III thereof to read as follows:*

§ 7. The bail shall be worth double the amount of bail expressed in the recognizance over and above the amount exempt from execution, but the court, judge, justice of the peace, or officer in taking bail may allow more than one bail to justify, in amounts less than double the amount expressed in the recognizance, if the whole qualification be equivalent to double the amount of the bail fixed.

§ 8. The court, judge, justice of the peace or other officer or person authorized by law to take bail, shall examine the bail on oath touching his or their sufficiency and may require other evidence for or against the same in such manner as he may deem proper.

The bail, unless excused by the court, judge or justice of the peace, shall be required to file a signed schedule, which shall be considered a part of the recognizance, in which he or they shall under oath answer as to name, residence, occupation, ownership of the property offered, location, legal description, when purchased, consideration, improvements, rents, taxes, encumbrances, judgments, liens, proceedings at law or in equity against property or bail, whether surety in other cases and amount of bail therein, amount received for acting as bail, and from whom, whether bail has in any manner been secured against loss, by whom, in what manner and amount, and any and all other questions touching upon his or their qualifications or sufficiency to act as bail, and such schedule shall in courts of record, together with the time of approval, be spread on the records of the court.

Should the bail schedule real estate situated in a county or counties in the State of Illinois other than the place at which the defendant is bound to appear, there shall be given and signed by the defendant and the bail as many copies of recognizances and schedules as may be required, and the justice of the peace and the clerk in any court of record in which the defendant is required to appear shall send a copy of the recognizance and schedule containing such property, together with an endorsement thereon showing the time of approval, immediately by registered mail to the officer charged with the duty of recording deeds in the county in which the property so scheduled is situated and shall in the same manner

and to the same officer send a statement under his hand and seal showing in what manner each of such cases has been disposed of and such recording officers shall, without receiving any fee therefor, keep complete records thereof.

All recognizances and schedules taken in criminal cases by justices of the peace shall be in duplicate in cases where real estate is scheduled, and shall have endorsed thereon the time of approval, and one set thereof shall immediately, by registered mail, be sent by such justice of the peace to the officer charged with the duty of recording deeds, in the county in which the property scheduled is situated, and such justice of the peace shall in the same manner and to the same officer send a statement under his hand and seal, showing in what manner each of such cases has been disposed of and such officer shall without receiving any recording fee therefor keep complete records thereof.

Any justice of the peace or any clerk of any court of record who shall wilfully fail or refuse to send immediately by registered mail to the officer charged with the duty of recording deeds copies of any and all the recognizances and schedules by this Act required to be sent and statements under his hand and seal showing in what manner each of such cases has been disposed of as required by this Act and any officer charged with the duly [duty] of recording deeds who shall wilfully fail or refuse to keep complete records of all of such recognizances, schedules and statements received by him from such justice of the peace and from the clerks of courts of record as required by this Act and all other persons or officers authorized by law to take bail who shall wilfully refuse or fail to obey the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred (\$100) dollars or imprisoned in the county jail not more than one year or both, in the discretion of the court.

§ 9. Every recognizance taken or attempted to be taken, in pursuance of this Act, shall, by all courts in this State, be held and adjudged to have been entered into voluntarily and shall not be set aside or adjudged insufficient for want of form, either in the recognizance, schedule or in the certificate of the officer taking the same.

§ 10. All recognizances and schedules taken in criminal cases shall be delivered immediately thereafter to the clerk of the court before which, or to the justice of the peace before whom the accused or witness is bound to appear, and shall be a lien for the full amount named, upon the property scheduled therein from the time the recognizance is approved, and this lien shall immediately cease and determine upon final disposition of the case, upon surrender of the defendant to the proper authorities or upon the entry of the order striking the case from the docket with leave to the State's attorney to reinstate. Nothing in this section contained shall be construed in any manner to limit the rights of the People of the State of Illinois as set forth and contained in section seventeen (17) thereof.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

BURGLARY WITH EXPLOSIVES.

§ 1. Burglary with explosives—penalty.

(HOUSE BILL No. 489. FILED JUNE 26, 1917.)

AN ACT to define and provide a punishment for the crime of burglary with explosives.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whoever with the intent to commit any crime, breaks and enters any building, and for the purpose of committing any crime uses or attempts to use nitro-glycerine, dynamite, gun-powder or any other explosive, shall be deemed guilty of burglary with explosives, and shall be imprisoned in the penitentiary not less than five years, nor more than twenty years.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CORONERS.

§ 1. Amends section 22, Act of 1874.

§ 22. Payment of fees in certain cases.

(SENATE BILL No. 483. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled: "*An Act to revise the law in relation to coroners,*" approved February 6, 1874, in force July 1, 1874, as subsequently amended, by amending section twenty-two (22) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to revise the law in relation to coroners,*" approved February 6, 1874, as subsequently amended, be, and the same is hereby amended, by amending section twenty-two (22) thereof, to read as follows:

§ 22. When any railroad, stage or any steamboat, propeller or other vessel engaged in whole or in part in carrying passengers for hire, brings the dead body of any person into this State; or, wherever any person dies upon any railroad car or any such stage, steamboat, propeller or other vessel in this State, or any person is killed by cars or machinery of any railroad company, or by accident thereto, or by accident to or upon any such stage, steamboat, propeller or other vessel, or by accident thereto, or when the death occurs in or about any mine, mill or manufactory, and such death shall have been caused by the wrongful act, neglect or default of any such railroad company, stage, steamboat, propeller or other vessel owner, or of the owner of any mine, mill or manufactory, the company or person owning or operating such railroad cars, machinery, stage, steamboat, propeller or other vessel, mine, mill or manufactory, shall be liable to pay the expenses of the coroner's inquest upon and for the burial of the deceased, and the same may be recovered in the name of the county, in any court of competent jurisdiction. And if it shall appear that any deceased person over whose remains a coroner's inquest is held, was a *bona fide* resident of some county other than that in which the inquest was held, or was killed or received the injuries from which he

died in some county other than that in which the inquest was held, and that the death did not result from the wrongful act, neglect or default of any person or company, as provided herein, then the county in which the inquest was held, having paid the expenses of such inquest, may recover the same from the county in which such deceased was a resident or in which he was killed or received the injuries from which he died.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

COTTON DUCK—REGULATING MANUFACTURE AND SALE.

- | | |
|---|---|
| § 1. Cotton duck, what to include. | § 5. Awnings, paulins, hay covers, tents,
etc.—misrepresenting size or dimensions. |
| § 2. How much shall constitute a yard. | |
| § 3. Brand—filler. | § 6. Effacing mark. |
| § 4. Unlawful to sell without brand or misrepresent weight. | § 7. Penalty |

(HOUSE BILL NO. 311. FILED JUNE 14, 1917.)

AN ACT concerning the sale and manufacture of articles composed in whole or in part of cotton duck or canvas, used for awnings, paulins, wagon covers, tents, grain and hay covers, stable or tent tops and for similar uses.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of this Act cotton duck or canvas shall be deemed to include all cotton duck or canvas, whether single filling, double filling, army, roll or wide duck.

§ 2. That for the purpose of this Act, the equivalent of thirty-six (36) inches in length by twenty-nine (29) inches in width, or seven and one-fourth ($7\frac{1}{4}$) square feet of cotton duck or canvas shall constitute a yard, a yard, and an ounce shall be one-sixteenth part of a pound avoirdupois.

§ 3. Any person, firm or corporation who shall manufacture for sale or who may offer or expose for sale any cotton duck or canvas or any article other than clothing and wearing apparel composed or made in whole or in part of cotton duck or canvas, shall distinctly and durably stamp, brand or mark thereon the true and correct weight of such cotton duck or canvas, by ounces per yard, together with a description by name of any filler or other preparations placed in or on said cotton duck or canvas since its manufacture.

§ 4. It shall be unlawful for any person, firm or corporation either individually or in any representative capacity, to carry for sale, sell or endeavor to sell any cotton duck or canvas as herein defined, or any articles other than clothing and wearing apparel composed or made in whole or in part of any cotton duck or canvas without having marked thereon the true and correct weight of said canvas or cotton duck by ounces per yard, together with a description by name of any filler or other preparations placed in or on said cotton duck or canvas since its manufacture, or to misstate, misrepresent or conceal the true weight of said

canvas or cotton duck by ounces per yard, or to misstate[,] misrepresent or conceal the existence of any filler or other preparation placed in or on said cotton duck or canvas since its manufacture.

§ 5. It shall be unlawful for any person, firm or corporation either individually or in representative capacity selling, carrying for sale or endeavoring to sell any awnings, paulins, wagon covers, tent, grain and hay covers, stable or tent tops, to misstate or misrepresent or conceal the true and correct size and dimensions thereof.

§ 6. It shall be unlawful for any person to deface, mutilate, obscure, conceal, efface, cancel or remove any mark provided for by this Act, or cause or permit the same to be done with intent to mislead, deceive or to violate any of the provisions of this Act.

§ 7. Any person, firm or corporation violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and on conviction thereof shall for the first offense be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and for each subsequent offense by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00).

FILED June 14, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this fourteenth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CORPORATIONS—INDICTMENT—SERVICE OF SUMMONS.

§ 1. Amends Act of 1874, by adding sections 350a, 350b and 350c.

§ 350b. Appearance—trial.

§ 350a. Crimes of corporations
—indictment—service of summons.

§ 350c. Fine—how collected.

(HOUSE BILL No. 269. APPROVED MAY 26, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and subsequently amended, commonly known as the criminal code, by adding thereto additional sections to be known as sections 350-A, 350-B and 350-C.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be amended by adding thereto additional sections to be known as sections 350-A, 350-B and 350-C and to read as follows:

§ 350-A. CRIMES OF CORPORATIONS—INDICTMENT—SERVICE OF SUMMONS.] Whenever an indictment or information or complaint shall be filed in any court against a corporation charging it with the commission of a crime, a summons shall be issued by the clerk of the court in which such indictment or information or complaint shall be returned, signed by one of the judges thereof, commanding the sheriff to forthwith notify the accused thereof and commanding it to appear before such court at a time to be specified in said summons not more than ten

days after the service thereof upon it. Such summons and a copy of the indictment or information or complaint shall be at once delivered by such clerk to said sheriff and by him forthwith served and returned in the manner provided for the service of summons upon such corporation in a civil action. Whenever a complaint against a corporation charging it with the commission of a crime shall be made before any justice of the peace or police magistrate, a like summons, signed by the justice of the peace or police magistrate shall be issued which, together with a copy of said complaint, shall be delivered to the sheriff at once and by him forthwith served as herein provided.

§ 350-B. APPEARANCE—TRIAL.] Upon such service being made, such corporation shall appear at the time specified by one of its officers or by counsel; and upon such appearance, and thereafter, the same course shall be pursued as nearly as may be, as upon the appearance of an individual to an indictment or information or complaint, charging him with the same offense. Upon failure of the corporation to make such appearance, said clerk, or justice of the peace or police magistrate shall enter or cause to be entered a plea of not guilty; and upon an appearance made or plea entered, the corporation shall be deemed thenceforth continuously present in court until the case is finally disposed of.

§ 350-C. FINE—HOW COLLECTED.] If a corporation shall be found guilty and a fine imposed, it shall be entered and docketed by the clerk or justice of the peace or police magistrate as the case may be, as a judgment against the corporation, and it shall be of the same force and effect and be enforced against such corporation in the same manner as if the judgment were recovered in a civil action.

APPROVED May 26, 1917.

DRAWING CHECKS WITH INTENT TO DEFRAUD.

§ 1. Drawing checks on bank or depository when drawer has not sufficient funds for payment.

(HOUSE BILL No. 55. APPROVED MAY 26, 1917.)

AN ACT to punish the making, drawing, uttering or delivering of checks, drafts or orders for the payment of money with intent to defraud.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person who with intent to defraud shall make or draw or utter or deliver any check, draft or order for the payment of money upon any bank or other depository, and thereby obtains from any person any money, personal property or other valuable thing knowing at the time of such making, drawing, uttering or delivery that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation, shall be guilty of a misdemeanor; and upon conviction thereof shall be fined not more than one thousand dollars or imprisoned not more than one year, or both. The making, drawing, uttering or delivering of such check, draft or order as aforesaid shall be *prima facie* evidence of intent to defraud. The word 'credit' as used herein shall be construed to mean an arrangement or

understanding with the bank or depository for the payment of such check, draft or order.

APPROVED May 26, 1917.

DRUGS—METHYL ALCOHOL.

§ 1. Amends Act of 1874, by adding section 63a.

§ 63a. Selling food or drink containing methyl alcohol—penalty.

(HOUSE BILL No. 574. FILED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known as section 63a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended be and is hereby amended by adding thereto a new section to be known as section 63a.

§ 63a. No person, firm or corporation shall have in possession, sell, or offer for sale, any food or drink which contains methyl alcohol (commonly known as wood alcohol) or any preparation or mixture of any kind whatsoever, containing methyl alcohol, which shall be intended for internal use by man. Methyl alcohol by any name, or any preparation or mixture containing methyl alcohol, shall, when offered for sale, sold, delivered or used, be conspicuously labeled "Wood Alcohol" or: "This preparation contains wood alcohol" and the word "Poison" together with a skull and cross bones. The word "Poison" and the skull and cross bones shall be printed in red ink and shall be at least one-quarter ($\frac{1}{4}$) of an inch in height.

Any person, firm or corporation violating the provisions of this section shall be fined not less than five dollars (\$5.00), nor more than one hundred dollars (\$100.00), for each such offense.

FILED June 11, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this eleventh day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

EXTRADITION OF PERSONS OF UNSOUND MIND.

§ 1. Act cited.

§ 5. Limitation.

§ 2. Definition of terms.

§ 6. Interpretation and construction of Act.

§ 3. Definition of person of unsound mind.

§ 7. Repeal.

§ 4. When delivered to other state — costs.

(HOUSE BILL No. 204. APPROVED JUNE 25, 1917.)

AN ACT to provide for the extradition of persons of unsound mind, and to make uniform the laws of the state which enact the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That this Act may be cited as the uniform Act for the extradition of persons of unsound mind.

§ 2. The terms "flight" and "fled" as used in this Act, shall be construed to mean any voluntary or involuntary departure from the jurisdiction of the court where the proceedings hereinafter mentioned may have been instituted and are still pending, with the effect of avoiding, impeding or delaying the action of the court in which such proceedings may have been instituted or be pending, or any such departure from the state where the person demanded then was, if he then was under detention by law as a person of unsound mind and subject to detention. The word "state" wherever used in this Act shall include states, territories, districts and insular and other possessions of the United States. As applied to a request to return any person within the purview of this Act to or from the District of Columbia, the words "executive authority," "Governor" and "Chief Magistrate" respectively shall include a justice of the Supreme Court of the District of Columbia and other authority.

§ 3. A person alleged to be of unsound mind found in this State, who has fled from another state, in which at the time of his flight:

(a) he was under detention by law in a hospital, asylum or other institution for the insane as a person of unsound mind; or

(b) he had been theretofore determined by legal proceedings to be of unsound mind, the finding being unreversed and in full force and effect, and the control of his person having been acquired by a court of competent jurisdiction of the state from which he fled; or

(c) he was subject to detention in such state, being then his legal domicile (personal service of process having been made) based on legal proceedings there pending to have him declared of unsound mind: shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed thereto.

§ 4. Whenever the executive authority of any state demands of the executive authority of this State, any fugitive within the purview of section 3 and produces a copy of the commitment, decree or other judicial process and proceedings, certified as authentic by the Governor or chief magistrate of the state whence the person so charged has fled, with an affidavit made before a proper officer showing the person to be such a fugitive, it shall be the duty of the executive authority of this State to cause him to be apprehended and secured, if found in this State, and to cause immediate notice of the apprehension to be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the apprehension, the fugitive may be discharged. All costs and expenses incurred in the apprehending, securing, maintaining and transmitting such fugitive to the state making such demand, shall be paid by such state. Any agent so appointed who receives the fugitive into his custody shall be empowered to transmit him to the state from which he has fled. The executive authority of this State is hereby vested with the power, on the application of any person interested, to demand the return to this State of any fugitive within the purview of this Act.

§ 5. Any proceedings under this Act shall be begun within one year after the flight referred to in this Act.

§ 6. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

§ 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

APPROVED June 25, 1917.

FALSE PRETENSES.

§ 1. Amends section 97, Act of 1874.

§ 97. Obtaining credit by, for self, firm or corporation —penalty.

(HOUSE BILL NO. 727. APPROVED JUNE 27, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as amended by an Act approved June 8, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 97 of the Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as amended by an Act approved June 8, 1909, be and the same is hereby amended so as to read as follows:

§ 97. That any person who shall knowingly make "and sign, or whoever shall," either direct [directly] or indirectly, or through any agency whatsoever "cause to be made" any false statement in writing "the contents and falsity of which shall be known to him" with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself, or any other person, firm or corporation, in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of loan or credit, the extension of a credit, the discount of an account receivable, or the making acceptance, discount, sale or indorsement of a bill of exchange or promissory note, for the benefit of either himself or of such person, firm or corporation; or

Who, knowing that a statement in writing has been made, respecting the financial conditions, or means, or ability to pay, of himself, or a person, firm or corporation in which he is interested, or for whom he is acting, procures upon the faith thereof, for the benefit either of himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in this section at a time when he knows the contents of said statement and knows that it is false, or

Who, knowing that a statement in writing has been made, respecting the financial condition, or means or ability to pay of himself or such person, firm or corporation, in which he is interested, or for whom he is acting represents on a later day, in writing, that such statement theretofore made, if then again made on said day, would then be true, when in fact he knows that said statement, if then made, would be false, and procures upon the faith thereof, for the benefit either of himself, or of

such person, firm or corporation, either or any of the things of benefit mentioned in this section, shall be guilty of misdemeanor and punishable by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or both fine and imprisonment.

APPROVED June 27, 1917.

FALSE PRETENSE.

§ 1. Amends section 98, Act of 1874.

§ 98. Confidence game—penalty.

(SENATE BILL NO. 574. APPROVED JUNE 21, 1917.)

AN ACT to amend "*An Act to revise the law in relation to criminal jurisprudence,*" approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending section 98 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That "*An Act to revise the law in relation to criminal jurisprudence*" approved March 27, 1874, in force July 1, 1874, as subsequently amended, be amended by amending section 98 thereof to read as follows:

§ 98. Every person who shall obtain or attempt to obtain from any other person or persons any money, property or credit by means or by use of any false or bogus check or by any other means, instrument or device commonly called the confidence game shall be imprisoned in the penitentiary not less than one year nor more than ten years.

APPROVED June 21, 1917.

LARCENY AND EMBEZZLEMENT OF FUNDS AND PROPERTY.

§ 1. Funds and property by agent, etc.—penalty.

(HOUSE BILL NO. 703. APPROVED JUNE 27, 1917.)

AN ACT concerning larceny and embezzlement of funds and property.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* If any officer, clerk, agent, servant, solicitor or broker of any incorporated company, or if any clerk, agent, servant, solicitor, broker, apprentice or officer of any person, co-partnership, society or association, receiving any money, substitute for money or thing of value whatsoever in his fiduciary capacity, shall embezzle or fraudulently convert or appropriate the same or any part thereof to his own use, or with intent to embezzle, shall take, secrete or otherwise dispose of, or fraudulently withhold, appropriate, lend, invest or otherwise use or apply any money, substitute for money or thing of value received by him in such fiduciary capacity, or the portion thereof belonging to his principal, employer or fiduciary, without the consent of the company, person, co-partnership, society or association for or on account of which the same was received by him, he shall be deemed guilty of larceny and shall be punished as provided by the criminal statutes of this State for the punishment of larceny, irrespective of whether any such officer, agent, clerk, servant, solicitor, broker or apprentice has or claims to have any commission or interest in such money, substitute for money or thing of value so received by him.

APPROVED June 27, 1917.

MOTOR VEHICLES—MEDDLING OR TAMPERING WITH PROHIBITED.

§ 1. Motor vehicles defined—penalty.

(HOUSE BILL No. 218. APPROVED JUNE 27, 1917.)

AN ACT to make unlawful the damaging or unauthorized tampering or meddling with a motor vehicle or with the motor or other parts thereof, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person, intentionally and without authority from the owner, to start or cause to be started the motor of any motor vehicle, or to maliciously shift or change the starting device or gears of a standing motor vehicle, to a position other than that in which it was left by the owner or driver of said motor vehicle; and it shall be unlawful to intentionally cut, mark, scratch or damage the chassis, running gear, body, sides, top, covering or upholstering of any motor vehicle, the property of another, or to intentionally cut, mash, mark, destroy or damage such motor vehicle, or any of the accessories, equipment, appurtenances or attachments thereof, or any spare or extra parts thereon being or thereto attached, without the permission of the owner thereof, or to intentionally release the brake upon any standing motor vehicle, with intent to injure said machine or cause the same to be removed without the consent of the owner. Any person who shall violate any of the provisions of this Act shall, upon conviction thereof, be confined in the county jail, or sentenced to labor in the workhouse of the county, city or town where the conviction is had, or on the streets or alleys of the city or on the public roads in the county, or to such labor under the direction of the sheriff, as the county board may provide for, not exceeding one (1) year, or fined not exceeding two hundred (\$200.00) dollars, or both.

The words "motor vehicle" shall include automobiles, locomobiles and all other vehicles propelled otherwise than by muscular power, except motor bicycles, traction engines and road rollers, the cars of electric and steam railways and other motor vehicles running only upon rails or tracks.

APPROVED June 27, 1917.

PANDERING.

§ 1. Amends section 2 and title, Act of 1908. § 2. Defines pandering.

§ 3. Amends title.

(HOUSE BILL No. 438. APPROVED JUNE 25, 1917.)

AN ACT to amend section two and the title of an Act entitled: "*An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial therefor, and providing what shall be a defense,*" approved June 1, 1908, in force July 1, 1908.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section two and the title of an Act entitled: "*An Act in relation to pandering, to define and prohibit*

the same, to provide for the punishment thereof, for the competency of certain evidence at the trial therefor, and providing what shall be a defense," approved June 1, 1908, in force July 1, 1908, be amended so as to read as follows:

§ 2. Any person who shall procure a female inmate for a house of prostitution or who, by promises, threats, violence or by any device or scheme, shall cause, induce, persuade or encourage a female person to become an inmate of a house of prostitution, or shall procure a place as inmate in a house of prostitution for a female person, or any person who shall, by promises, threats, violence, or by any device or scheme, cause, induce, persuade or encourage an inmate of a house of prostitution to remain therein as such inmate, or any person who shall, by fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procure any female person to become an inmate of a house of ill fame, or to enter any place in which prostitution is encouraged or allowed within this State, or to come into this State or leave this State for the purpose of prostitution, or who shall procure any female person to become an inmate of a house of ill fame within this State, or to come into this State or leave this State for the purpose of prostitution, or who shall receive or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure, any female person to become an inmate of a house of ill fame within this State, or to come into this State or leave this State for the purpose of prostitution, "or any person who shall knowingly, without lawful consideration, take, accept or receive any money or other thing of value from any female person from the earnings of her prostitution, or any person who shall, directly or indirectly, take, receive or accept money or other thing of value for providing, procuring or furnishing for another any person for the purpose of illicit sexual intercourse," shall be guilty of pandering, and upon a first conviction for an offense under this Act shall be punished by imprisonment in the county jail or house of correction for a period of not less than six months nor more than one year and by a fine of not less than three hundred dollars and not to exceed one thousand dollars, and upon conviction for any subsequent offense under this Act shall be punished by imprisonment in the penitentiary for a period of not less than one year nor more than ten years.

§ 2. The title of said Act shall be amended to read as follows:

"An Act to amend section 2 and the title of an Act entitled, 'An Act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof, for the competency of certain evidence at the trial therefor, and providing what shall not be a defense,["']" approved June 1, 1908, in force July 1, 1908.

APPROVED June 25, 1917.

PENALTY FOR DESTRUCTION OF MUNITION PLANTS—ARMORIES—ETC.

§ 1. Amends Act of 1874, by adding sections 540, 185e and 188a.

§ 540. Penalty for use of dynamite, giant powder, etc., to destroy any munition plant, etc.

§ 185e. Penalty for destruction of gas, electric, telegraph, or telephone plants.

§ 188a. Penalty for interference with water supply.

§ 2. Emergency.

(HOUSE BILL NO. 874. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto three new sections, to be known as sections 540, 185e and 188a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended, by adding thereto, three new sections, to be known as sections 540, 185e and 188a, to read as follows:

§ 540. Any person who shall by means of dynamite, giant powder or other explosives, or by the ignition of explosives contained in any powder magazine, mill or manufactory, or any munitions plant, fort, armory or arsenal, explode, burn or otherwise injure or damage any powder magazine, mill or manufactory, or any munitions plant, fort, armory or arsenal, shall be guilty of a felony, and on conviction thereof, if any death shall result from such explosion, damage or injury, shall suffer the punishment of death or imprisonment in the penitentiary for his natural life or for a term not less than fourteen years; and if no death shall result, such person shall be punished by imprisonment in the penitentiary for a term not exceeding twenty-five years nor less than ten years. If the accused is found guilty by a jury, they shall fix the punishment by their verdict. Upon a plea of guilty, the punishment shall be fixed by the court.

§ 185e. Any person who shall destroy, damage or injure, or render unusable, any gas, electric, telegraph or telephone plants, or interfere with the conveyance of transmission of the product thereof, may, upon conviction, be punished by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000) or by imprisonment in the penitentiary for not less than one (1) year, nor more than five (5) years.

§ 188a. Any person who shall interfere with, damage or injure any source of supply for water, food or provisions for troops in the employment of the State or of the United States, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) and imprisonment in the penitentiary not less than one year nor more than twenty years.

§ 2. WHEREAS an emergency exists, therefore this Act shall take effect from and after its passage and approval.

APPROVED June 26, 1917.

PROHIBITS FORTUNE TELLING.

§ 1. Penalty for practicing the arts of fortune telling, etc.

§ 2. Penalty for publishing or distributing printed matter in relation to fortune telling.

(HOUSE BILL NO. 477. FILED JUNE 25, 1917.)

AN ACT to prohibit fortune-telling and other practices whereby money is obtained on the pretense of the exercise of occult powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whoever shall obtain money or property from another by holding himself out as skilled in fortune telling by means of card reading, palmistry, clairvoyancy, astrology, seership, spirit mediumship or any crafty science, or by any other devices or practices whereby money is obtained from the general public on the pretense of the exercise of occult or psychic powers, shall for each offense be fined not exceeding five hundred (\$500) dollars. Provided, that the provisions of this Act shall not be construed to include, prohibit or interfere with the exercise of the spiritual functions or offices of any priest, minister or accredited representative of any religion, and provided further the provisions of this Act shall not be construed to include or refer to the practice of the belief known as Spiritualism or to any attempted communication with the spirit world, by or through so-called mediums.

§ 2. That whoever knowingly prints, publishes, distributes or circulates, or knowingly causes to be printed, published, circulated or advertised, in any newspaper, periodical, magazine or other publication or publications, or by display signs, circulars, handbills or any other means, any advertisement of any person's ability, skill or power in telling fortunes or revealing the future, or offering advice of any kind or nature by means of occult or psychic powers, faculties or forces, shall for each offense be fined not exceeding two hundred (\$200) dollars.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

SENTENCE, COMMITMENT, AND PAROLE—ACT OF 1917.

- § 1. Definite sentences for misprison of treason, murder, rape, and kidnaping—eligibility to parole.
- § 2. Indeterminate sentences in all cases except those enumerated in section one—age of defendant to be found—no person to be committed to State penitentiary, etc., for recovery of fine or costs.
- § 3. Court in case of felony to have discretion whether commitment shall be to penitentiary, reformatory or other institution.
- § 4. Court to have discretion whether persons guilty of offenses punishable by imprisonment, in county jail shall be committed to jail, reformatory or other institution.
- § 5. Department of Public Welfare to adopt rules concerning prisoners and wards—data to be compiled, and history of each case to be preserved.
- § 6. A copy of the official record including a statement of the facts and circumstances prepared by the judge and State's attorney to be transmitted with the prisoner or ward upon commitment.
- § 7. Department of Public Welfare to establish rules for parole of prisoners and wards—conditions of parole—arrest and return of paroled prisoners and wards.
- § 8. Paroled prisoners and wards to be furnished clothing, money and transportation.
- § 9. Supervision and discharge of paroled prisoners and wards.
- § 10. Paroles in the case of prisoners and wards that have been transferred.
- § 11. Every sentence or commitment except that of jail sentence or fine shall be subject to statutory provision that prisoner may be transferred to penitentiary—court to retain jurisdiction for this purpose—procedure.
- § 12. Every sentence except for capital offense of a male under 26, of a female under 18 subject to statutory provision prisoner may be transferred to reformatory or other institution from penitentiary—court to retain jurisdiction for this purpose—procedure.
- § 13. Transfer not to render prisoners or wards ineligible to parole.
- § 14. State's attorney to represent Department of Public Welfare—fees.
- § 15. Repeals Parole Act of April 21, 1899, certain sections Illinois State Reformatory Act June 18, 1891, and all Acts in conflict.

(HOUSE BILL NO. 1029. APPROVED JUNE 25, 1917.)

AN ACT to revise the law in relation to the sentence and commitment of persons convicted of crime or offenses and providing for a system of parole and to repeal certain Acts and parts of Acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where any person, male or female, over ten years of age, shall be charged with either of the offenses of misprison [misprison] of treason, murder, rape, or kidnaping, and the case shall be tried by a jury and the jury shall find the defendant guilty, the jury shall also by its verdict fix the punishment, and if the punishment imposed is imprisonment, the jury shall fix the term of such imprisonment; if the case is tried by the court, without a jury on a plea of guilty, and the court shall impose imprisonment as the punishment, the court shall fix a definite term of imprisonment, and the court in each case, shall fix the place of confinement. In every such case of imprisonment, the court shall sentence the defendant to the penitentiary, except as is provided in clauses one to four, inclusive, in section three in this Act, and in such cases the court may, in its discretion, commit as in those clauses provided. Every person so sentenced shall be held in the respective institution, reformatory or penitentiary for and during the definite term in said sentence named, subject to

transfer, subject to parole and subject to be earlier discharged, as in this Act provided, by the Department of Public Welfare, and it shall be deemed and taken as a part of every such sentence that all of the provisions for transfer, parole and discharge in this Act contained shall be a part of said sentence as fully as though written in it.

Every person sentenced and committed under this section "one" shall, in the discretion of the Department of Public Welfare, be eligible to parole under rules and regulations adopted therefor by the Department of Public Welfare, such paroles to be as follows: Persons sentenced for life may be eligible to parole at the end of twenty years; persons not sentenced for life but sentenced for a definite term of years may be eligible to parole not earlier than one year nor until he or she shall have served the minimum sentence provided by law for the crime of which he or she was convicted, good time being allowed as provided by law; nor until he or she shall have served at least one-third of the time fixed in said definite sentence. It is expressly provided that the definite sentence provided for in this section "one" shall be applicable only to the crimes enumerated in this section "one" and definite sentences shall not be applicable to any other crime or offense enumerated in this Act; and, further, that indeterminate or general sentences shall apply to all other crimes and offenses enumerated in this Act, but not to the crimes or offenses enumerated in this section "one."

§ 2. That, except for the crimes enumerated in section one of this Act, every sentence to the penitentiary or reformatory, and every sentence or commitment to any other State institution now or hereafter provided by law for the incarceration, punishment, discipline, training or reformation of persons convicted and sentenced to, or committed to such institution (not including, however, county jail) shall be a general sentence of imprisonment, and the courts of this State imposing such sentence or commitment shall not fix the limit or duration of such imprisonment. The term of such imprisonment or commitment shall be for not less than the minimum nor greater than the maximum term provided by law for the offense of which the person stands convicted or committed. It shall be deemed and taken as a part of every such sentence, as fully as though written therein, that the term of such imprisonment or commitment may be terminated earlier than the maximum by the Department of Public Welfare, by and with the approval of the Governor in the nature of a release or commutation of sentence or commitment. In all cases in this Act enumerated the jury trying such case shall by their verdict find the age of the defendant, as near as may be, and the court on a plea of guilty shall find the age of the defendant, as near as may be.

No court of otherwise competent criminal jurisdiction shall be deprived of jurisdiction to sentence and commit or commit, under this Act, for terms of imprisonment for a crime or offense in this Act enumerated, although such crime or offense may in addition to such imprisonment, be punishable by other or alternative punishment.

No person shall by any court be committed to the penitentiary, reformatory or other State institution for the recovery of a fine or costs.

§ 3. That except for the crimes enumerated in section one of this Act, every person, male or female, over ten years of age, who shall be adjudged guilty of a felony, or other crime punishable by imprisonment in the penitentiary, or by imprisonment either in the penitentiary or jail, and as to whom the court shall not have assessed the jail sentence, shall in all such cases, except as herein otherwise provided, in clauses one to four, inclusive, be sentenced to the penitentiary, and the jury in its verdict in such case and the court imposing such sentence, shall not fix the limit or duration of same, but the term of such imprisonment shall not be less than the minimum term nor shall it exceed the maximum term provided by law for the crime or offense of which the person is convicted, making allowance for good time as is provided by law: *Provided,*

Clause 1. That every male person between the ages of sixteen and twenty-six years, except in capital cases, may, in the discretion of the court, be sentenced to the reformatory instead of the penitentiary.

Clause 2. That every male person between the ages of twenty-one and twenty-six years who has previously been sentenced to the penitentiary or reformatory in this or any other state, district or country, may, in the discretion of the court, be sentenced to the penitentiary instead of the reformatory.

Clause 3. That every male person between the ages of ten and sixteen years adjudged guilty of any offense enumerated in this section, except capital offense, may, in the discretion of the court, be sentenced and committed to such other institution (other than the reformatory) as is provided by law for the incarceration, punishment, discipline, training or reformation of such class of persons, instead of the penitentiary.

Clause 4. That every female person between the ages of ten and eighteen years, adjudged guilty of any offense enumerated in this section, except a capital offense, may, in the discretion of the court, be sentenced and committed to such other institution as is now provided by law, or may be provided by law, for the incarceration, punishment, discipline, training or reformation of such class of persons, instead of the penitentiary.

§ 4. That every male person between the ages of sixteen and twenty-one years, who shall be adjudged guilty of an offense punishable by imprisonment in the county jail or by a fine, or in the county jail with or without a fine, may, in the discretion of the court, be committed to the reformatory for the jail imprisonment only, instead of the county jail, for not less than the minimum nor greater than the maximum term provided by law for the offense of which such person is convicted, and that every female person between the ages of ten and eighteen years, who shall be adjudged guilty of an offense punishable by imprisonment in the county jail or by a fine, or in the county jail with or without a fine, may, in the discretion of the court, for the jail imprisonment only, be committed for a term not less than the minimum nor greater than the maximum term provided by law for the offense of which such person is convicted to such other State institution as is provided by law or may

hereafter be provided by law for the incarceration, punishment, discipline, training or reformation of such class of persons.

§ 5. It shall be the duty of the Department of Public Welfare to adopt such rules concerning all prisoners and wards committed to the custody of said Department as shall prevent them from returning to criminal courses, best secure their self-support and accomplish their reformation.

Whenever any person shall be received into any penitentiary, reformatory or other institution for the incarceration, punishment, discipline, training or reformation of prisoners or wards of the State, the said Department of Public Welfare shall cause to be entered in a register the date of such admission, the name, nativity, nationality, with such other facts as can be ascertained of parentage, education, occupation and early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner or ward, and based upon these, an estimate of the present condition of the prisoner or ward and the best possible plan of treatment. The said Department shall carefully examine each prisoner or ward when received and shall enter in a register kept by it the name, nationality or race, the weight, stature and family history of each prisoner or ward, also a statement of the condition of the heart, lungs and other principal organs, the rate of the pulse and respiration, the measurement of the chest and abdomen, and any existing disease or deformity, or other disability, acquired or inherited; upon the register shall be entered from time to time minutes of observed improvement or deterioration of character and notes as to the method and treatment employed; also, all alterations affecting the standing or situation of such prisoner or ward, and any subsequent facts or personal history which may be brought officially to the knowledge of the Department bearing upon the question of parole or final release of the prisoner or ward. And it is hereby made the duty of every public officer to whom inquiry may be addressed by the Department of Public Welfare concerning any prisoner, to give said department all information possessed or accessible to him which may throw light upon the question of the fitness of said prisoner or ward to receive the benefits of parole or to be again placed at liberty.

§ 6. In all cases, whether the sentence be definite or indeterminate, it shall be the duty of the judge by or before whom any prisoner or ward is convicted or committed, and also the State's attorney of the county in which he or she was convicted or committed to file an official statement with the clerk of the court to be transmitted to and to thereby furnish the Department of Public Welfare an official statement of the facts and circumstances constituting the crime or offense whereof the prisoner or ward was convicted or committed, together with all other information accessible to them in regard to the career of the prisoner or ward prior to the time of the commitment for the crime or offense of which he or she was convicted or committed relative to his or her habits, associates, disposition and reputation and any other facts and circumstances which may tend to throw light upon the question as to whether such prisoner or ward is capable again of becoming a law-abiding citizen. It shall be

the duty of the official court reporter, at the dictation of the judge of the said court or the State's attorney of said county, to write the official statements of the judge and State's attorney above referred to at the time of the conviction or commitment of the prisoner or ward. It shall be the duty of the clerk of said court to prepare a statement, giving the name and residence of the trial judge and also the names of the jurors and witnesses sworn at the trial and to attach such statement of his, together with the official statement of the trial judge and State's attorney with a copy of the indictment, information or petition, as the case may be, to a copy of the judgment, order or record of conviction, to be certified as a mittimus and deliver same, so attached, to the sheriff of the county for transmission to such institution, reformatory or penitentiary, as the case may be, at the time of the delivery of the prisoner or ward to the officers of such institution, reformatory or penitentiary; and it shall be the duty of the officers of the Department of Public Welfare in charge of such institution, reformatory or penitentiary to report to the proper officer of the Department of Public Welfare the receipt of such prisoner or ward with such other official information as such department may require, within five days after the receipt of such prisoner or ward.

§ 7. The said Department of Public Welfare shall have power, and it shall be its duty, to establish rules and regulations under which prisoners in the penitentiary, in the reformatory and in such other State institutions as are now or may hereafter be provided for the incarceration, punishment, discipline, training or reformation of the prisoners or wards committed thereto, may be allowed to go upon parole outside of the penitentiary, reformatory or such other institutional buildings and enclosure: *Provided*, that no prisoner or ward shall be released from either the penitentiary or the reformatory or such other institution herein in this Act mentioned until the Department of Public Welfare shall have made arrangements or shall have satisfactory evidence that arrangements have been made for his or her honorable and useful employment while upon parole in some suitable occupation and also for a proper and suitable home free from criminal influences and without expense to the State:

And, provided, further, that all prisoners and wards so temporarily released upon parole shall, at all times, until the receipt of their final discharge, be considered in the legal custody of the officers of the Department of Public Welfare, and shall during the said time be considered as remaining under conviction for the crime or offense of which they were convicted and sentenced or committed and subject to be taken at any time within the enclosure of such penitentiary, reformatory and institutions herein mentioned. Full power to enforce such rules and regulations and to retake and reimprison any inmate so upon parole is hereby conferred upon the officers and employees of the Department of Public Welfare. The order or writ certified to by the warden, superintendent or managing head of such penitentiary, reformatory or of such other institution above mentioned, with the seal of the institution attached and directed to all sheriffs, coroners, constables, police officers

or to any other particular persons named in said order or writ, shall be sufficient warrant for the officer or other person named therein to authorize the said officer or person to arrest and deliver to the proper officer of said penitentiary, reformatory or such other institution the body of the conditionally released or paroled prisoner named in said writ, and it is hereby made the duty of all sheriffs, coroners, constables, police officers or other persons named therein to execute said order or writ the same as other criminal processes. In case any prisoner or ward so conditionally released or paroled shall flee beyond the limits of the State, he or she may be returned pursuant to the provisions of the laws of this State relating to fugitives from justice. That no prisoner or ward sentenced and committed, or committed, under a general or indeterminate sentence, shall be eligible to parole earlier than one year after his or her commitment in said penitentiary or reformatory or State institution in this Act mentioned, nor until he or she shall have served the minimum term of imprisonment provided by law for the crime or offense of which he or she was sentenced and stands convicted or committed. In all cases of definite sentences provided for in section one of this Act, persons sentenced for life or for a definite term of imprisonment may be paroled in the discretion of the Department of Public Welfare; persons sentenced for life may be eligible to parole at the end of twenty years; persons not sentenced for life but sentenced for a definite term of years may be eligible to parole not earlier than one year, nor until he or she shall have served the minimum sentence provided by law for the time for which he or she was convicted, good time being allowed as provided by law, nor until he or she shall have served at least one-third of the time fixed in said definite sentence.

§ 8. Upon granting parole to any prisoner or ward the Department of Public Welfare shall provide him or her with suitable clothing, ten dollars in money which may be paid to him or her in installments at the discretion of the Department and shall procure transportation for him or her to his or her place of employment.

§ 9. It shall be the duty of the Department of Public Welfare to keep in communication, as far as possible, with all prisoners and wards who are on parole from the penitentiary, reformatory or other institution for the incarceration, punishment, discipline, training or reformation, also with the employers of such prisoners or wards, and when, in the opinion of the Department of Public Welfare, any prisoner or ward who has served not less than six months of his or her parole acceptably (the Department of Public Welfare may require a longer service upon parole) has given such evidence as is deemed reliable and trustworthy that he or she will remain at liberty without violating the law and that his or her final release is not incompatible with the welfare of society; and whenever it shall be made to appear to the satisfaction of the Department of Public Welfare that any prisoner or ward has faithfully served his or her term of parole and the Department of Public Welfare shall have information that such prisoner or ward can safely be trusted to be at liberty and that his or her final release will not be incompatible with the welfare of society, the Department of Public Welfare shall have

power to cause to be entered of record in its department an order discharging such prisoner or ward for or on account of his or her conviction or commitment, which said order when approved by the Governor shall operate as a complete discharge of such prisoner or ward, in the nature of a release or commutation of his or her sentence, to take effect immediately upon delivery of a certified copy thereof to the prisoner or ward, and the clerk of the court in which the prisoner or ward was convicted or committed shall, upon presentation of such certified copy, enter the judgment of such conviction or commitment satisfied and released pursuant to said order.

§ 10. In any case where prisoners shall have been transferred from a penitentiary to the Illinois State Reformatory or to any other State institution of the State of Illinois for the incarceration, punishment, discipline, training or reformation of persons committed thereto, or in case of transfer from said institutions to the reformatory or to the penitentiary in a proper case, the Department of Public Welfare shall have power and authority during the time such prisoners or wards are in the institutions, to which they have been transferred, to grant paroles to such prisoners or wards in all respects, the same as though they had been originally committed to such penitentiary, reformatory or other institution.

§ 11. It shall be a part of every sentence or commitment, whether definite or indeterminate or general, to either of the State institutions for the incarceration, punishment, discipline, training or reformation of persons convicted of an offense which might have been punished by imprisonment in the penitentiary if committed by an adult, and it shall be a part of every sentence to the reformatory, whether definite or indeterminate or general, except where the offense was an offense punishable in the county jail or by a fine, or in the county jail with or without a fine, as fully as though written in each of said classes of sentences, that the person so sentenced or committed to such State institution or to the reformatory, respectively, shall be liable and subject to be transferred to a penitentiary in the manner herein in this section provided. If it shall appear to the Department of Public Welfare that any such prisoner or ward confined in said reformatory or either of said State institutions was, at the time of his or her conviction or commitment, if a male person, twenty-six years of age or more, and, if a female person, more than eighteen years of age, or if it shall appear that, while in said reformatory or in such other State institution, any prisoner or ward mentioned in this section is incorrigible or persistently violates the rules of the reformatory or institution so that his or her presence therein is seriously detrimental to the best interests of the institution or reformatory and the inmates thereof, said Department of Public Welfare, by an order entered on its record, may direct any officer or employee thereof to make application to the court in this State in which such prisoner or ward was convicted or committed for an order to transfer such prisoner or ward to the penitentiary for discipline and not as a modification of the original sentence or commitment. And for this purpose it shall be deemed and taken that said court in which such conviction or commit-

ment was had, has retained jurisdiction for the reinstatement of said cause for the purpose of hearing the petition and adjudication thereupon in this section contained. Such application shall be made by a written petition subscribed and sworn to by some officer or employee of the Department of Public Welfare cognizant of the facts, and shall set forth a copy of the order of the Department of Public Welfare directing such application to be made, and shall further state the causes for seeking such transfer and praying an order transferring the prisoner or ward therein named to one of the penitentiaries of this State. The court shall thereupon set a date for a hearing of such petition; a copy of such petition, together with notice of the time and place of such hearing, shall be served upon the prisoner or ward sought to be transferred at least ten days before the date of such hearing. The prisoner or ward shall be personally present at such hearing. Such court without a jury shall have power to examine and consider such petition and, if it finds the verified petition sets forth a cause for transfer, shall enter an order for the transfer of such prisoner or ward to the penitentiary of this State designated in such order. The order of the court hearing such petition shall be final: *Provided*, that if such petition shall be dismissed, a new application may be made for causes arising since the filing of any other application. A prisoner or ward so ordered transferred shall be transferred and be received and held in the penitentiary under the original sentence, the date thereof commencing with his imprisonment in the original institution to which he was committed and for the same period of time and in the same manner as under the original sentence under which the prisoner or ward was convicted and sentenced or committed as though still confined in said original institution or reformatory and may be released on parole by the Department of Public Welfare under rules made by it or absolutely discharged by the Department of Public Welfare upon the approval of the Governor. Such prisoner or ward may be returned at any time to the original institution or reformatory upon the written requisition of the Department of Public Welfare.

§ 12. It shall be a part of every sentence, whether definite or indeterminate or general, of a male person under 26 years of age, except for a capital offense, sentenced to the penitentiary, and of every female person under 18 years of age, except for a capital offense, sentenced to the penitentiary, as fully as though written in each and every of said sentences, that such prisoner shall be liable to and be subject to be transferred,—the male person to the reformatory and the female person to such other State institution as is now or hereafter shall be provided by law for the incarceration, punishment, discipline, training or reformation of such persons, in the manner herein provided. Whenever it shall appear to the Department of Public Welfare that any such prisoner was under the ages herein in this section first above mentioned at the time of commitment to the penitentiary or that by reason of the mentality, want of training or other conditions, it shall be for the welfare of such person and in the interest of society and not detrimental to the reformatory or other State institution or inmates thereof, that such prisoner so committed to the penitentiary should be transferred to the reformatory

or to such other State institution in this Act indicated, said Department of Public Welfare shall cause some officer or employee of the Department to make application in writing, verified by some officer or employee cognizant of the facts to the court in this State in which such prisoner was convicted for an order to transfer such prisoner to the reformatory or such other State institution as hereinabove mentioned, for discipline and training, and not as a modification of the original sentence. And for this purpose it shall be deemed and taken that said court in which such conviction was had has retained jurisdiction for the reinstatement of said cause for the purpose of hearing without a jury the petition and adjudication thereupon in this section contained. And a like proceeding shall be had under this section and like orders made as in the case of transfer to the penitentiary, with the exception that the order shall name the institution to which such person is transferred from the penitentiary, with the same powers and jurisdiction in the court and the term of imprisonment in such institution transferred to shall not exceed the term provided for in the original sentence under which prisoner was convicted and sentenced. His or her imprisonment shall be regarded as having commenced at the time of entering the penitentiary. Such order of transfer shall be final. Such prisoner, upon the written requisition of the Department of Public Welfare may, at any time, be returned to the penitentiary for the further service of such term of imprisonment.

§ 13. It is expressly provided that transfer from an institution to a reformatory or penitentiary or from the reformatory to the penitentiary or from the penitentiary to the reformatory or other correctional institution shall not deprive prisoners or wards therein from parole when, in the judgment of the Department of Public Welfare, such prisoners or wards should be paroled.

§ 14. It shall be the duty of the State's attorney in the county in which an application for transfer from either of the institutions, reformatory or penitentiary shall be filed, to represent the people and to conduct said hearing for transfer for and in behalf of the Department of Public Welfare, and the fees for such services as are allowed by law shall not be taxed against the person or prisoner sought to be transferred, nor shall the same be paid by the Department of Public Welfare.

§ 15. That an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, and all amendments thereto; and sections ten (10) as amended, eleven (11) as amended, twelve (12) as amended, fourteen (14), fourteen-a (14a), fourteen-b (14b), fifteen (15) as amended, sixteen (16) as amended, seventeen (17) as amended, eighteen (18) and nineteen (19) as amended, of an Act entitled, "An Act to establish the Illinois State Reformatory, and making an appropriation therefor," approved June 18, 1891, in force July 1, 1891, and all parts of laws not in harmony with the provisions of this Act, are hereby repealed: *Provided*, that such repeal shall not affect any conviction heretofore had under said laws: *And, provided*, that any person convicted or committed under

authority of the Acts or sections specifically repealed in this section, or under any other section, at the election of such person, may, with the consent of the Department of Public Welfare, receive the benefits of this Act.

APPROVED June 25, 1917.

UNLAWFUL DISCHARGE OF FIREARMS.

§ 1. Amends Act of 1874, by adding section 56a.

§ 56a. Unlawful discharge of firearms—penalty.

(HOUSE BILL NO. 312. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known and designated as section fifty-six-a (56a).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*" approved March 27, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by adding thereto a new section to be known and designated as section fifty-six-a (56a). Such section shall read as follows:

§ 56a. Any person not lawfully authorized to bear arms in the discharge of his duty, who shall discharge any firearm in or upon any public highway shall be guilty of a misdemeanor and shall be fined in any sum not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for each and every such offense.

APPROVED June 25, 1917.

UNLAWFUL EXHIBITIONS AND PUBLICATIONS.

§ 1. Amends an Act to revise the law in relation to criminal jurisprudence, approved March 27, 1874 by adding sections 224a and 224b.

§ 224b. Representations of hangings and lynchings prohibited — penalty.

§ 224a. Exhibitions and publications, portraying criminality and depravity or ridiculing citizens on account of race or religion—prohibitive—penalty.

(HOUSE BILL NO. 926. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by adding thereto two new sections to be known as sections 224a and 224b.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to criminal jurisprudence*," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended by adding thereto two new sections to be known as sections 224a and 224b.

§ 224a. It shall be unlawful for any person, firm or corporation to manufacture, sell, or offer for sale, advertise or publish, present or exhibit in any public place in this State any lithograph, moving picture, play, drama or sketch, which publication or exhibition portrays depravity, criminality, unchastity, or lack or virtue of a class of citizens, of any race, color, creed or religion which said publication or exhibition exposes the citizens of any race, color, creed or religion to contempt, derision, or obloquy or which is productive of breach of the peace or riots. Any person, firm or corporation violating any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than two hundred dollars (\$200.00).

§ 224b. It shall be unlawful for any person, firm or corporation to manufacture, sell, or offer for sale, or advertise or present or exhibit in any public place in the State any publication or representation by lithograph, moving picture, play, drama or sketch representing or purporting to represent any hanging, lynching or burning of any human being. Any person, firm or corporation violating any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00).

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

DEBTOR AND CREDITOR.

PROTECTION OF EMPLOYEES AND LABORERS IN THEIR CLAIMS FOR WAGES.

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| § 1. Wages of employees if paid in check, order or scrip shall be redeemable at face value in lawful demand on demand. | § 2. Penalty. |
| | § 3. Act to prevent extortion, etc., approved June 21, 1895, repealed. |

(SENATE BILL NO. 163. APPROVED JUNE 26, 1917.)

AN ACT *in relation to the payment of wages otherwise than in lawful money, and to repeal an Act entitled "An Act to prevent extortion and compel the payment of debts contracted for labor in bankable currency," approved June 21, 1895, in force July 1, 1895.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person, firm or corporation engaged in any business or enterprise within this State shall issue, in payment of or as evidence of indebtedness, for wages due an employe for labor, any time check, store order, scrip, or other acknowledgment of indebtedness, unless the same is payable or redeemable upon demand, without discount and for face value, in lawful money of the United States at the office or place of business of such person, firm or corporation.

§ 2. Any person, firm or corporation who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be

punished by a fine not to exceed one hundred (\$100) dollars, or confined in the county jail for a period not to exceed thirty (30) days, or both, in the discretion of the court.

§ 3. That an Act to prevent extortion and compel the payment of debts contracted for labor in bankable currency, approved June 21, 1895, in force July 1, 1895, be, and the same is hereby repealed.

APPROVED June 26, 1917.

DRAINAGE.

AGRICULTURAL AND SANITARY PURPOSES—USE OF DRAINS BY LAND OWNERS.

§ 1. Amends Act of 1885, by adding section 58a.

§ 2. Emergency.

§ 58a. Act not to be construed to forbid other land owners from using drains—to pay cost of enlargement—commissioners may enlarge boundaries of district.

(SENATE BILL No. 6. APPROVED MAY 18, 1917.)

AN ACT to amend "*An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879, as amended by an Act approved June 30, 1885, in force July 1, 1885, as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 20, 1907; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913, by adding a section to be known as section 58a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 20, 1907; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913, by adding a section to be known as section 58a to read as follows:

§ 58a. Nothing in this Act shall be construed to forbid land owners within the district to more completely drain their lands by using the

common drains as outlets to lateral drains; and the owners of land outside the drainage districts or another drainage district may connect with the ditches of the district already made, by the payment of such amount as they would have been assessed if originally included in the district, or if such connection shall, by increase of water, require an enlargement of the district ditches, then the outside owners of land so connecting or other drainage district, as may be, shall pay the cost of such enlargement. If individual land owners outside the district shall so connect, they shall be deemed to have voluntarily applied to be included in the district, and their lands benefited by such drainage, shall be treated, classified and taxed like other lands within the district. Drainage commissioners may at any time enlarge the boundaries of their districts by attaching new areas of land which are involved in the same system of drainage and require for outlets the drains of the district made or proposed to be made, as the case may be, on petition of as great a proportion of the land owners of the area to be added as is required for an original district. All changes thus made in the district shall be duly noted and shown upon the map, and recorded in the drainage record. The commissioners shall proceed to classify the lands thus added to the district, and such lands shall be classified, and assessed or taxed with their fair proportion of the costs of the work done, or to be done, in like manner, and upon the same basis as it would have been made had the new area been included in the district at its organization.

§ 2. WHEREAS, an emergency exists, therefore, this Act shall be in force from and after its passage.

APPROVED May 18, 1917.

AGRICULTURAL AND SANITARY PURPOSES—OUTLET DRAINAGE DISTRICTS.

§ 1. Amends Act of 1879, by adding section 65a.

§ 65a. Organization of outlet drainage districts — commissioners — special assessments — exceptions — right of way — use of drains and levees of drainage district — compensation.

(HOUSE BILL NO. 77. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913; as amended by an Act approved June 28, 1915, in force July 1, 1915 by adding thereto a section to be numbered section 65a.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to

amend an Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879; as amended by an Act approved June 30, 1885, in force July 1, 1885; as amended by an Act approved June 4, 1889, in force July 1, 1889; as amended by an Act approved June 24, 1895, in force July 1, 1895; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 14, 1903, in force July 1, 1903; as amended by an Act approved and in force May 29, 1909; as amended by an Act approved and in force June 27, 1913; as amended by an Act approved June 28, 1915, in force July 1, 1915, be and the same is hereby amended by inserting in and adding to said Act a section to be numbered as section 65a, and which said section 65a shall read as follows:

§ 65a. When any river or other stream or watercourse in this State constitutes the common outlet for two or more drainage districts heretofore or hereafter organized under any of the laws of this State, and also constitutes the outlet for the drainage of lands not organized into a drainage district, and when it will be a benefit to the lands included in said drainage districts and to said lands not so included but having said river or watercourse as the outlet for drainage, for agricultural or sanitary purposes, that said river, watercourse or other stream or any portion thereof constituting such common outlet be deepened, widened or otherwise improved or that the channel thereof be changed or straightened, an outlet drainage district may be organized in the manner provided in this Act for the organization of drainage districts, and all lands benefited by so deepening, widening or otherwise improving or by changing or straightening the channel of such river or watercourse may be included within the boundaries of such outlet drainage district, and it shall not constitute any objection to the inclusion of any lands in such outlet drainage district that said lands had been theretofore included in a drainage district organized under the general provisions of this Act, or under any other law of this State. That commissioners of such outlet drainage district may be appointed at the time and in the manner and with the qualifications provided in this Act for the appointment of commissioners of drainage districts, and except as herein limited with like powers and duties: *And, provided, further,* that special assessments may be levied on the lands or other property included in said outlet district, and which will be benefited by the improvements or other work proposed in said outlet district in the same manner as assessments for benefits are provided in levee and drainage districts organized under this Act, to pay the costs of constructing such improvements or other work, together with the cost of all proceedings therefor. But neither said outlet drainage district nor its commissioners or officers shall have any right to make any assessments against any of the lands included in said outlet drainage district for any purpose except to deepen, or widen or otherwise improve the channel of said river or watercourse so constituting an outlet for the drainage of the lands included in said outlet drainage district or to change or straighten the channel thereof, nor to

construct any other drainage work except to deepen, widen, or otherwise improve the channel of such river or watercourse or to change or straighten the channel thereof: *And, provided, further,* that in so far as may be, except as herein limited and restricted, all the provisions of this Act with reference to drainage districts organized thereunder shall apply to an outlet drainage district so organized under this section: *And, provided, further,* that when it becomes necessary said outlet drainage district may acquire lands for right of way for any improvement constructed by it in the same manner as drainage and levee districts organized under this Act may acquire right of way and may so acquire said right of way either within or without the boundaries of an organized drainage district theretofore organized: *And, provided, further,* that no outlying drainage district organized under this section shall remove, destroy, appropriate or use any levee, drain ditch or part thereof, or other work of any drainage district organized under any laws of this State without paying such drainage district just compensation therefor. In case the commissioners of said outlet drainage district and the corporate authorities of any such drainage district shall be unable to agree upon the compensation to be paid to such drainage district, the same may be ascertained and enforced by any proper proceedings in any court of competent jurisdiction. Upon payment of such compensation, said outlet district shall have the right to appropriate such levees, ditches, drainage or other work within the boundary of such outlet district for and in connection with the purposes for which said outlet district is organized.

APPROVED June 11, 1917.

AGRICULTURAL AND SANITARY PURPOSES—REPAIRING LEVEES
WITH U. S. GOVERNMENT ASSISTANCE.

§ 1. Amends section 37, Act of 1879.

§ 37. As amended, provides commissioners may levy assessment to realize funds to be used in connection with an appropriation from the Government of the United States to repair, enlarge or strengthen levees near any river.

(HOUSE BILL No. 600. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879, as subsequently amended, by amending section 37 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the construction, reparation and protection of drains, ditches and levees, across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879, as subsequently amended, be and is hereby amended by amending section 37 thereof to read as follows:

§ 37. Said commissioners may use money arising from the collection of assessments or coming into their hands, as such commissioners, for the purpose of compromising suits and controversies arising under this Act, and in the employment of all necessary agents and attorneys, in organizing said district, and for conducting other proceedings, in law or in equity, for the same, and for the purpose of constructing or repairing or maintaining any ditch, ditches, drains, levee or levees within said district or outside of said district, necessary to the protection of the lands and complete drainage of the same within said districts: *Provided*, that the commissioners shall use such money under the direction or approval of the court; and assessments from time to time may be levied on the land within any district when it shall appear to the court that the previous assessment or assessments have been expended or are inadequate to complete such work, or are necessary for maintenance or repair, or when it shall become necessary for the construction of one or more pumping plants, or other additional work, or the completion of any work already commenced within any drainage district to insure the protection or drainage of the lands in said district, under the direction and order of the court, or to pay obligations incurred for the current expenses of said district or in the keeping in repair and protection of the work of such district, or to pay obligations incurred for the completion of any part of the work of said district, as originally planned, contracted for and already commenced within any drainage district to insure the protection or drainage of the lands in said district, or when it shall become necessary to realize funds in order that any district organized under this Act may avail itself of financial assistance from any appropriation made by the Government of the United States for the purpose of repairing, enlarging, or strengthening any levee or levees, adjacent to or near any river, on a petition of a majority of the land owners within said district who are of lawful age and represent at least one-third in area of such land, or on a petition of one-third of such adult land owners who represent a majority (major portion) in area of such lands, or on the petition of the commissioners accompanied by an itemized statement of accounts made by the commissioners under oath, showing the moneys received by the district and the manner in which they have been expended, together with the plats and profiles of such additional work and estimated cost of the same; two weeks previous notice of the time set for the hearing of said petition in the manner required by section three (3) of this Act having been given. Upon the hearing of such petition the court may grant the prayer of the same, and cause the jury to be impaneled to make said assessment, as well as an assessment for an annual amount of benefits for maintaining and operating such pumping plant or plants and for keeping such additional work in repair, with like proceedings and notice as near as may be, as in cases of original assessments of damages and benefits under this Act, and such additional assessment or assessments, when made, shall have the same force and effect and be collected in the same manner as original assessments.

APPROVED June 11, 1917.

AGRICULTURAL AND SANITARY PURPOSES.

§ 1. Amends section 15a, Act of 1885.

§ 15a. Effect of organization of drainage districts—election—offices—vacancy.

(SENATE BILL NO. 546. APPROVED JUNE 21, 1917.)

AN ACT to amend section 15a of an Act entitled, "An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named," approved June 27, 1885, in force July 1, 1885, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 15a of an Act entitled, "An Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named," approved June 27, 1885, in force July 1, 1885, as subsequently amended, be amended so as to read as follows:

§ 15a. Upon the organization of any drainage district as provided in section 15 of this Act, the duties and obligations of the commissioners of highways, as said drainage commissioners of such district shall cease as soon as drainage commissioners shall have been elected and qualified as herein provided. It shall be the duty of the town clerk to call an election in each district in his township, including the new districts organized during the previous year, by giving ten (10) days' notice that an election will be held (specifying time and place), said notices shall be posted in three (3) conspicuous places in said districts. Elections shall be held in the several drainage districts organized under this Act on the second Saturday in March of each year, between the hours of 2:00 and 6:00 o'clock p. m.[:] *Provided, however,* that in case the town clerk shall at any time fail, refuse or neglect to give the notice herein required and by reason thereof no election is held on the second Saturday of March, as aforesaid, then the clerk shall, upon the demand of any drainage commissioner or any person interested, call an election for such purpose and give notice, and said election may be held at any time in such case after the second Saturday of March of each year, and the commissioners elected at such election shall be the drainage commissioners of said district, and in case of the expiration of the term of office of any commissioner, or all of them, a new set of commissioners may be elected as the case may be under the notice as aforesaid.

At the first election in each district there shall be elected three (3) commissioners, one for one year, one for two years, and one for three years, and annually thereafter, one drainage commissioner shall be elected who shall hold his office three years, and until his successor is elected and qualified. Every adult owner of land in the district, whether residing within or without the district, shall be a voter, and if a resident of the county in which the district or any part thereof lies, eligible to the office of drainage commissioner. Said elections shall be conducted after the manner provided by law governing school elections. Commissioners of highways shall act as judges and clerk of the first election held in any district; thereafter the drainage commissioners shall act

as judges and clerk of elections in their respective districts. If said commissioners be not present, it shall be competent for the electors present to select judges and clerk of said election. Returns of said election shall be made to the town clerk, who shall record the same in a book kept for that purpose. Said commissioners shall take the oath of office before some officer authorized to administer oaths. Said commissioners shall be known by the corporate name of drainage commissioners of..... District No....., of the town of, county of, State of Illinois, and by that name shall be a body politic and corporate, and may sue and be sued, plead and be impleaded, contract and be contracted with, and shall be the corporate authority of their respective districts. Before entering upon their duties as herein provided, the drainage commissioners shall take and subscribe an oath substantially as follows, viz:

We,, drainage commissioners of Drainage District No....., do solemnly swear (or affirm) that we will faithfully and impartially perform the duties required of us to the best of our understanding and judgment and make assessment of damages and benefits (or benefits as the case may be), in favor of or against the land in said district, according to law.

When a vacancy occurs amongst the drainage commissioners, elected under this Act, it shall be the duty of the surviving commissioner or commissioners to call an election to fill the vacancy. The commissioners shall give not less than ten (10) days' notice of the time when and place where the election will be held, and the ballot shall state that the commissioner or commissioners are being elected to fill a vacancy.

APPROVED June 21, 1917.

DRAINS, DITCHES AND LEVEES FOR AGRICULTURAL, SANITARY AND MINING PURPOSES.

§ 1. Amends Act of 1879, by adding section 34a.

§ 34a. Enforcement of payment of assessment, installments or levies.

(HOUSE BILL No. 844. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879; as subsequently amended, by adding thereto a new section to be known as section 34A.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "*An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879, be and the same is hereby amended by adding thereto a new section to be known as section 34A, to read as follows:

"§ 34A. In case the owner or owners of any lands lying in any district, heretofore or hereafter organized, and which are assessed, fails or neglects to pay any assessment or assessments, installment or installments, tax levy or levies when due, and the same be not collected on or before the annual sale of lands for nonpayment of taxes, the commissioners of such drainage district may file a petition or bill in the Circuit Court of the county in which the land or property upon which such assessment, installment or levy has not been paid, for a foreclosure of such lien; and the commissioners may proceed in the corporate name of the district to foreclose such lien in like manner and with like effect as in foreclosure of mortgages. Any decree rendered in such court may be enforced and collected as other decrees or judgments in the same court. The remedy provided in this section for the collection of delinquent assessments or taxes shall not be construed to abridge or in any manner interfere with the right and power to enforce collection of any delinquent assessment or tax in the manner provided by the revenue laws of this State, or other provisions of the Act to which this amendment applies, but the remedy herein provided shall be taken and held as an additional means to enforce payment of such delinquent assessment or tax.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LITTLE WABASH RIVER DRAINAGE DISTRICT.

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| § 1. District to be organized for the improvement of the Little Wabash River below Miller Creek. | § 14. Meetings — compensation of employees subject to approval of court. |
| § 2. Any 50 or more adult land owners owning 10,000 acres may file petition in County Court. | § 15. Penalty for neglect of commissioner. |
| § 3. District to include other drainage districts. | § 16. Commissioners to give bond. |
| § 4. Form of petition. | § 17. Commissioners to report to court of moneys collected and expended—hearings. |
| § 5. Affidavits relative to residences of nonresidents. | § 18. Compensation of commissioners. |
| § 6. Clerk to publish notice of hearing—to give notice by mail to nonresidents. | § 19. Treasurer—bond. |
| § 7. Court to grant hearing at any probate or common law term. | § 20. Orders on treasurer. |
| § 8. Answers — defaults — new parties defendant—continuances— hearing—court to determine whether district shall be organized—appeals. | § 21. Accounts to be kept by treasurer—compensation. |
| § 9. District to be corporation—commissioners to exercise powers. | § 22. Authority to borrow money. |
| § 10. Court to appoint commissioners. | § 23. Commissioners to examine lands and channels, and to provide surveys and estimates. |
| § 11. Removal of commissioners. | § 24. Notice of hearing. |
| § 12. Oath of office. | § 25. Court to order confirmation or modification of report. |
| § 13. Organization—secretary—records. | § 26. Confirmation to be final. |
| | § 27. Commissioners' roll of assessment benefits. |

LITTLE WABASH RIVER DRAINAGE DISTRICT—Concluded.

- § 28. Description of property needed for right of way to be filed with assessment roll.
- § 29. Condemnation proceedings—jury to pass upon question of benefits and damages.
- § 30. Jury to view premises and tabulate benefits and damages—verdict to be filed—court to have power to confirm findings in whole or in part—appeals.
- § 31. Damages and benefits to be assessed against each tract separately in proportion to the whole.
- § 32. Payment of assessments.
- § 33. Assessment roll to be recorded.
- § 34. Assessment installments to bear interest at 6 per cent.
- § 35. Notice of assessments due.
- § 36. Certified list of delinquent lands — proceedings to collect delinquent assessments.
- § 37. Act to be liberally construed.
- § 38. Delinquent assessments to be accepted by treasurer.
- § 39. Commissioners to do all acts necessary in constructing and maintaining work of the district—to advertise for bids—not to be interested in contracts.
- § 40. Commissioners to use money collected by district for all lawful and for enumerated purposes — assessments from time to time — procedure.
- § 41. Power to borrow money — conditions and procedure.
- § 42. Payment of damages — effect — to be deposited—penalties for obstructing work.
- § 43. Petition to modify plan of work—notice—hearing—orders of court.
- § 44. Commissioners to have access to lands — entry into possession — penalties for preventing same.
- § 45. Commissioners to condemn lands necessary for additional work.
- § 46. Tract books of assessments to be kept — lists to be delivered to county collectors.
- § 47. Assessments against railroads, municipal corporations and townships on account of roads benefited.
- § 48. Commissioners to have power to remove or construct bridges.
- § 49. Railroad companies to enlarge culverts—penalties.
- § 50. Owners of lands outside district using ditches to be included in district—procedure.
- § 51. Defects in part and mere irregularities not to invalidate organization of district or nullify assessments — petition to cure defects to be filed.
- § 52. Summons and procedure as in chancery cases—assessments by jury—appeals.
- § 53. Certification of bonds.
- § 54. Penalty for injury to property of district.
- § 55. Appropriation of drainage works of other districts.
- § 56. Powers of eminent domain.
- § 57. Bonds not to be sold less than par — registration—cancellation.
- § 58. Emergency.

(HOUSE BILL NO. 785. FILED JUNE 26, 1917.)

AN ACT to provide for the organization of Little Wabash River Drainage District and for the changing and improvement of the channel of Little Wabash River and its tributaries by special assessments on the property benefited thereby.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, for the purpose of straightening, enlarging, deepening, embanking, changing and constructing new or improved outlets or otherwise improving the channel, or any part thereof, of the Little Wabash River and the bayous, lagoons and lesser streams tributary thereto, below the mouth of Miller Creek, in the town of Mt. Erie, Wayne County, Illinois, for a more free flow of water and protection from overflow, a river drainage district to be known as Little Wabash River Drainage District may be organized as hereinafter provided.

§ 2. Said district may include all contiguous territory so situate that the water from such territory naturally flows or is drained into said Little Wabash River, and any fifty or more adult landowners owning at least ten thousand acres of land in said territory may file a petition in the County Court of the county in which the greater portion of the lands of said territory shall lie praying that steps be taken to organize such territory into Little Wabash River Drainage District under the provisions of this Act.

§ 3. Said river drainage district may include within its limits the whole or any part of the lands of any drainage district organized under any law of this State for the drainage or protection of lands from overflow for agricultural, sanitary or mining purposes when the water of said lands flows or is drained into said Little Wabash River or when said stream is the outlet of the drains or ditches of said drainage district, and such lands shall be a part of said river drainage district and may be assessed for the construction of the work of said river drainage district.

§ 4. The petition for the organization of the district shall state that petitioners propose the organization of Little Wabash River Drainage District under the provisions of this Act, and the boundaries of the territory to be embraced therein; that the water of the lands lying within the boundaries of said district naturally flows or is drained into said river, and that said lands are contiguous and will be benefited by the improvement of the channel of said river; that Little Wabash River Drainage District embracing said lands should be organized for the purpose of improving the channel of said stream or the tributaries thereof, for a better outlet and more free flow of the water or protection from overflow of said lands, for agricultural and sanitary purposes, by special assessments upon the property benefited thereby. And the petition may pray for the organization of Little Wabash River Drainage District with the boundaries proposed, and for the appointment of commissioners for said district for the execution of such work as may be feasible and necessary for the improvement of said stream and its tributaries under the provisions of this Act.

§ 5. There shall be filed with such petition an affidavit stating whether any of the landowners of said district are non-residents of the county or counties in which said district will lie; and if any of said landowners are non-residents of said county or counties said affidavit shall state the names and places of residence of such non-residents, if their names known, and if unknown stating that upon diligent inquiry their places of residence can not be ascertained.

§ 6. Upon the filing of said petition the clerk of said court shall enter the same upon the docket of said court and the judge of said court shall thereupon fix a time for the hearing of said petition, which may be at any time during that or the next term of said court. The said clerk shall then cause three weeks' notice of the presentation and filing of said petition to be given by posting notices thereof at the door of the court house of the county or counties in which the district is situated and in at least ten of the most public places in said district,

and also by publishing a copy thereof for three successive weeks in some newspaper published in the county or counties in which said district will lie. Said notice shall be addressed "to all persons interested" and shall state when and in what court said petition was filed, by whom filed, the name and boundaries of the proposed district, the prayer of said petition, and the time when and place where and before what court the petitioners will ask a hearing of said petition. If any of the landowners of said district are non-residents the said clerk shall send by mail a copy of said notice to each of said non-residents, whose residence is known, within three days after the first publication of the same. The certificate of the clerk or of the publisher of said newspaper, or the affidavit of any credible person, affixed to a copy of said notice, shall be sufficient evidence of the posting, mailing and publication of said notice[.]

§ 7. The County Court in which said petition shall be filed may hear the petition at any probate or common law term, and may determine all matters pertaining thereto, and may adjourn the hearing from time to time, or continue the same for want of sufficient notice, or other good cause. Upon application of the petitioners the court shall permit the petition, affidavit and other papers and orders in the case to be amended, and no petitioner shall be permitted to withdraw from said petition, except by the consent of the other petitioners thereon, or where it shall be shown to the satisfaction of the court that the signature of the petitioner was obtained by fraud or misrepresentation. And said court may hear all matters and make any orders pertaining to the organization of said district, or any of the business of said district, during any probate or common law term thereof.

§ 8. At the time fixed for the hearing of said petition any person owning or having any estate in any land in said district, and any municipal or other corporation that may be affected by the organization of said district, may file an answer to said petition and contest the necessity of the organization of the district or the location and boundary thereof, and the petitioners and contestants may offer any competent evidence in regard thereto. All persons not answering the petition by said time, or within such further time as the court may allow, shall be defaulted by the court and such default shall be conclusive that such persons consent to the organization of said district and have assented to and accepted the provisions of this Act. If it shall appear to the court that the boundaries of the district as proposed in the petition do not embrace all the lands that will be benefited by the improvement of said river, or that lands are embraced therein that will not be benefited and are not necessary to be included in said district for any purpose, the court may change said boundaries so as to include or exclude all such lands; but no such lands shall be included in said district without giving notice of the proposal to include such lands to the owners thereof for the time and in the manner provided in section six of this Act, and the court may continue the hearing as to the owners of such lands for the giving of said notice. And if it shall finally appear to the court, after hearing any and all competent evidence that may be offered for and against the

petition and for and against the inclusion of other lands in the proposed district, that all or the major portion of the lands embraced in the boundaries of the proposed district, or said lands and other lands lying outside said boundaries and contiguous thereto, are contiguous and that the water of said lands naturally flows or is drained into said Little Wabash River and said land will be benefited for agricultural and sanitary purposes by improving the channel of said stream for a better outlet and more free flow of water or protection from overflow, the court shall so find; and such findings shall be conclusive of such facts and not subject to review on appeal or writ of error; and such findings shall be conclusive upon all the landowners of said district that they have assented to and accepted the provisions of this Act. If, after being sufficiently advised and informed in the premises, the court finds that Little Wabash River Drainage District should be organized for the purpose of improving said river, it shall order and adjudge that the said Little Wabash River Drainage District bounded as follows.....
.....is duly established as provided by this Act, and said findings and judgment shall be entered at large upon the records of said court. Said judgment shall be final and shall not be questioned or attacked in any collateral proceeding, and every presumption shall be indulged in favor of the jurisdiction of the court and the validity of said judgment. If the court shall find against the petitioners the petition shall be dismissed at their cost. Separate or joint appeals and writs of error to review said judgment may be taken to the Supreme Court by the parties affected thereby. But no appeal from said judgment shall be heard unless the same shall be perfected within thirty days after the entry of said judgment, and no writ of error shall issue to review said judgment unless sued out within four months after the entry of said judgment had been entered against him and did not have an opportunity to appear in said court and move to set aside said default. The granting of an appeal or writ of error to one or more persons, or the reversal of said judgment upon such appeal or writ of error by such person or persons separately or jointly shall not impair nor invalidate the organization of said district as to all other persons not appealing nor suing out such writs, nor shall such appeal or writ of error delay the work or proceedings so far as it affects the lands of such other persons. Nor shall it be a valid ground of objection on the part of any landowner upon said hearing, or upon an appeal from said judgment, or upon any writ of error attacking the said judgment, that any owner of other land has not received sufficient notice of the said proceedings, or that the said judgment is invalid as to the said owner of other lands.

§ 9. Upon said findings and judgment being entered of record, said district is hereby declared by law to be organized as a river drainage district by the name and style of Little Wabash River Drainage District, and with the boundaries fixed by said judgment. Said district is hereby declared to be a body politic and corporate, with the right to sue and be sued, to contract and be contracted with, to acquire and hold real and personal property for corporate purposes, and to have perpetual succession, and may adopt and use a corporate seal and exercise all the powers

in this Act conferred. And the commissioners appointed as provided in this Act and their successors in office shall constitute the corporate authorities of said district, and shall exercise the functions and powers conferred upon them by law and may do and perform all such acts and things as may be necessary for the accomplishment of the purposes of this Act.

§ 10. On the first day of the probate term of said County Court next following the organization of said district as provided in this Act the said court shall appoint three commissioners for said district, one to serve one year, one two years and one three years from the date of appointment, and each year thereafter said court shall appoint one commissioner for said district who shall hold his office for three years and until his successor is chosen and qualified; but the said court shall appoint as commissioners only such persons as shall be petitioned for by a majority of the adult landowners owning lands in said district: *Provided* if such petition is not filed in said court before the day such appointment is to be made said court shall appoint some suitable person as commissioner of such district without such petition.

§ 11. The court may, for good cause, at any time remove any commissioner appointed by it, and appoint another in his place, and may fill all vacancies caused by death, removal or otherwise.

§ 12. Before entering upon the duties of their office, such commissioners shall take and subscribe an oath to faithfully discharge the duties of their office, without favor or partiality, and to render account of their doings to the court by which they are appointed, at least once each year and oftener if required by order of the court, which oath shall be filed with clerk of said court within ten days after the appointment of such commissioners.

§ 13. The commissioners shall organize their body by electing one of their number chairman and one secretary. The secretary shall be the custodian of the books, papers and records of the commissioners and belonging to such district. He shall keep, in a well-bound book to be known as the drainage record and which shall at all times be open for inspection to parties interested, a record of all the proceedings of the commissioners and shall enter therein all the orders and resolutions of such commissioners pertaining to the business of such district. He shall make a brief memoranda in such record, of all their transactions concerning the district. If bonds have been issued, and sold; or contracts have been let on any section or division of work; or orders issued on the treasurer; or materials or tools purchased; or warrants for service of a commissioner issued; or sums paid, by order, for work done; all such proceedings and any other particular matter or transaction of such commissioners shall be carefully entered upon such record, and the dates, amounts, and proper descriptions of such doings shall at all times be observed in making such memoranda. Said commissioners shall also take and preserve proper vouchers for all orders given by them on the treasurer.

§ 14. The commissioners shall hold meetings on the first Tuesday of March and September, or oftener, if necessary, and shall hold all their

meetings for the transaction of business at any place in the county or counties in which the district is located, and no business shall be transacted by them except at a meeting of which all the commissioners have had notice. A majority of the commissioners shall constitute a quorum, and the concurrence of a majority of their number in any matter within their duties shall be sufficient. They shall have the right to employ for such district all such attorneys, engineers, surveyors and other agents and servants as they may deem necessary to advise and assist them in the performance of their duties, but the compensation of all such employees shall be subject to the approval of the court in which the proceedings for the organization of the district are had.

§ 15. If any commissioner shall refuse or neglect to discharge any of the duties imposed upon him, by virtue of this Act, he shall, for every such refusal or neglect be liable to the party aggrieved, for all damages sustained by him, and upon conviction, may be fined in any sum not exceeding one hundred dollars (\$100.00), and be removed from his office.

§ 16. The commissioners shall not collect or receive any money for said district until they shall have given bond, payable to the People of the State of Illinois for the use of all persons interested, in a sum not less than twice the amount that may come into their hands or under their control during any one year, with such security as shall be approved by the judge of the court, conditioned for the faithful application of all moneys that may be received by them as such commissioners and to make due account thereof to the court whenever required by law or order of the court, which bond shall be filed in the court in which the proceedings are had. Such bond shall be renewed each year within ten days after the appointment of such commissioners or either of them.

§ 17. The commissioners shall, as often as once in each year after their appointment, and as much oftener as the court shall require, make a report to the court, showing the amount of money by them collected and the manner in which the same has been expended; and upon the filing of such report, the court shall set a time, not exceeding three weeks from such filing, when such report shall be heard; and the commissioners shall give at least ten days' notice thereof by posting written or printed notices, in not less than four of the most public places in the district, and one at the door of the court house of the county in which said district shall be organized. Upon the time fixed the court shall hear said report and all objections thereto, or may continue such hearing to another time fixed; and upon hearing such report, may require evidence, to be produced by the commissioners, in support thereof, and if found correct, may approve such report. Upon the failure of the commissioners or either of them, to make such report, to the satisfaction of the court, as required by this section, such commissioner or commissioners on the application of any person interested, or the court without such application, shall remove such commissioner or commissioners from office.

§ 18. The commissioners shall receive for their services the sum of five dollars per day for each day they shall be actually engaged in the

business of their office, and shall receive no other compensation for expenses or otherwise. If any commissioner shall be engaged in the business of his office less than four hours in any day, he shall only receive one-half of his *per diem* allowance for such fraction of a day. The commissioners shall present an itemized account, under oath, to said court, of the amounts due them respectively, which accounts shall show in detail the days and fractions of days they were engaged in the business of their office and on what business they were so engaged each day, which amounts shall be audited at least once a year by the court and certified to the treasurer of said district for payment on said certificate. But such itemized accounts shall be subject to the approval of the court as provided by section seventeen of this Act.

§ 19. The commissioners, before any money is received by them, shall appoint a treasurer for said district, who shall not be one of their number, who shall execute [execute] a bond to the People of the State of Illinois for the use of all persons interested in a sum of not less than twice the amount of assessments that may be in his hands during his term of office, with such sureties as may be approved of by the judge of said court, conditioned for the faithful performance of his duties as treasurer of Little Wabash River Drainage District, and that he will safely and faithfully account for all money that, by virtue of his said office, shall come to his hands. Which said bond when approved by the court shall be kept and preserved by said commissioners, and suits may be maintained upon the same by them upon any breach of its conditions.

§ 20. The commissioners shall pay out no money except by an order on the treasurer of the district and signed by two of their number, and they shall keep a record of all such orders showing the amount of each and to whom and for what purpose issued.

§ 21. It shall be the duty of the treasurer to keep proper books to be furnished him by the commissioners, in which he shall keep an accurate account of all moneys received by him, and of all disbursements of the same; he shall pay out no money, except upon the order of a majority of the commissioners, and shall carefully preserve on file all orders for the payment of money given him by the commissioners, and shall turn over all books, papers, vouchers, moneys, and other property belonging to said district and in his hands, as such treasurer, to his successor in office. His term of office shall be two years, but he may be at any time removed by the court upon petition of a majority of the commissioners or for good cause shown. He shall receive, as a compensation for his services, a sum fixed by the commissioners before his appointment. If any bank or other institution in which he deposits or keeps any money of the district pays him commission or interest on such money, such commission or interest shall belong to the district and become a part of its corporate funds.

§ 22. The commissioners may borrow money on the credit of the district for the purpose of paying the necessary expenses of making the surveys, profiles, plat, plans and specifications for any work of the district which the commissioners are required by this Act to plan, locate and report to the court, and the expenses preliminary to the making of

such report and the hearing thereon, and may secure the same by notes or bonds of the district bearing interest at the rate of not exceeding six per cent per annum, and not running beyond two years, and such money so borrowed shall constitute a lawful debt against said district and shall be paid, with such interest, out of the assessments, when collected, or the proceeds of the sale of bonds, hereinafter in this Act provided for: *Provided*, the court, on the petition of the commissioners, shall make and enter of record an order fixing the amount they may borrow, the rate of interest to be paid and the time such notes or bonds shall run.

§ 23. Immediately after their appointment and qualification, the commissioners appointed for said district shall go upon the territory of said district and examine the lands therein and the channels of said Little Wabash River and the bayous, lagoons and other streams tributary thereto and determine upon and locate, design, lay out and plan such work as, in their judgment, is necessary for the improvement of the channel of said river or any of its said tributaries, for a better outlet and more free flow of the water, or protection from overflow, of said lands, for agricultural and sanitary purposes, having in view the future contingencies as well as the present, and may provide for straightening, deepening or enlarging said channel, or any part thereof, or any tributary thereof, or for cutting a new channel or outlet for said river, or changing the course thereof or for constructing embankments to turn water into or confine water in said river, or any tributary thereof, or any channel constructed to straighten, change or improve the same, and for removing from said river, or its banks, rocks, shoals, bars, drifts, drift material, trees, and other obstructions to the flow of water, and for any other work they shall deem necessary for the improvement of the channel of said river, or any tributary thereof, for the purposes aforesaid. The commissioners shall have proper surveys, profiles, plans and specifications of such work made, and a plat of the district showing with reasonable certainty the location of all such work, and shall report their conclusions and a copy of said surveys, profiles, plans and specifications and plat, and an estimate of the cost of such work, to the court which appointed them. Said estimate shall include the cost and expenses of planning and laying out such work and constructing the same, the cost of procuring right of way therefor and of building any bridges that may be made necessary by the construction of such work, and of all lawful expenses incident thereto.

§ 24. Upon the filing of said report the clerk of said court shall enter the same upon the docket of the court and the court shall thereupon fix a time for the hearing of said report. The clerk shall cause three weeks' notice of the time and place when and where the hearing of said report will be, as provided in section six of this Act. At the time of the hearing all persons interested may appear and contest the confirmation of said report, or show that additional or other work should be constructed, or that the report ought to be modified in any particular, and may offer any competent evidence in support; and the said report of said commissioners shall be *prima facie* evidence of the facts therein set forth.

§ 25. If upon the hearing the court shall be of the opinion that the objections are not well taken, or if no objection shall be made, it shall order the confirmation thereof. If it shall appear that additional work and outlets, not named in the report, are necessary, or that the report ought to be modified in any particular, and the court shall be sufficiently informed in the premises, it shall modify the same to conform to the equities in the premises; or if not sufficiently informed, it shall order the commissioners to review and correct their report, and may make specific directions in what respect they shall reform their report; and the court may make all necessary orders in the premises, either for the continuance of the hearing or other lawful purposes.

If the report be referred back to the commissioners for amendment, the court shall fix a day when the commissioners shall again present their report, in which case the hearing shall stand adjourned to that day, and no further notice shall be required thereof.

§ 26. If, after hearing all objections that may be filed to said report and all competent evidence that may be offered for and against the report, the court shall find that the work proposed in said report as made or as modified, if the same is ordered modified, is feasible and necessary for the purpose of improving the channel of said river or its tributaries, for a better outlet and more free flow of the water or protection from overflow of said lands for agricultural and sanitary purposes, the court shall so find and shall approve and confirm said report and order said commissioners to have said work constructed as provided by this Act. Said findings and order shall be entered at large upon the records of the court and shall be final and conclusive upon all persons affected thereby. Upon said order being entered the clerk of the court shall record said report, surveys, plans and specifications and plat, as approved, and confirmed by the court, in the record of the proceedings of the district.

§ 27. After the order provided for in the foregoing section shall have been entered of record, the commissioners shall proceed to acquire the right of way and releases of damages for the construction of the proposed work, by agreement with the landowners so far as they may be able to agree with said landowners; and to make out an assessment roll in which shall be set down in proper columns the names of the owners when known, a description of the premises affected, in words or figures, or both, as shall be most convenient, the number of acres in each tract, and, if benefits are assessed against the same, the amount of benefits assessed against each tract; they shall also include therein all railroads, public highways and municipal corporations to be affected by the proposed work, and the amount of benefits assessed against the track and right of way of said railways and public highways and roads, and the streets and alleys of such municipal corporations, all of which shall be known as the "commissioners' roll of assessments of benefits."

§ 28. With said assessment roll shall be filed a description of any and all pieces of property needed for right of way for said work and which the commissioners have been unable to acquire by agreement with the owners thereof, with the name, if known and if unknown so stating,

of the owner of each piece of property so required for such right of way, and the damages [damages] to be paid for such pieces of property shall be ascertained by the jury provided for in section twenty-nine of this Act.

§ 29. Upon the filing of the "commissioners' roll of assessments of benefits," with the clerk of the court, the clerk shall give two weeks' notice in the manner provided by section six (6) of this Act, of the time and place when and where the commissioners will appear before the same court in which the petition was filed for the purpose of having a jury impaneled in accordance with the provisions of section six (6) of an Act entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and for the hearing before said jury, upon all questions of benefits and damages, to any of the land in said district.

Upon the hearing, the commissioners and all persons interested in the lands to be affected, shall have the same right of challenge of jurors as in other civil cases in the county courts of this State. When said jury is selected they shall be sworn to faithfully and impartially perform the duties required of them, to the best of their understanding and judgment, and to make their assessments of benefits or of damages, or damages and benefits as the case may be, according to law; and thereupon said commissioners, on behalf of said district, shall present and file as their claim against the several municipal and other corporations, landowners and tracts of land, the assessment roll provided for in section twenty-seven (27) of this Act, which shall make out a *prima facie* case for the commissioners, and all parties to said proceedings shall be permitted to present to said jury their case in person or by counsel, and offer any competent evidence as to the amount of benefits which any land, tract and right of way of any railway, road, public highway and streets and alleys of any municipal corporation in said district will receive by reason of said proposed work, or as to the damages to land taken or damaged thereby over which the right of way has not been obtained, and after such evidence shall be presented and argument of counsel heard, the court shall instruct them as to the law and form of their verdict. The court may cause to be prepared and submitted to said jury a form for their said verdict, including the names of the owners and descriptions of the tracts of land to be affected, including the railroads, public highways and streets and alleys of municipal corporations, with blanks for the said jury to fill with the amounts of benefits and damages as they shall find, and when completed the same may be placed in form by the court in the presence of said jury, or the said jury may be recalled at any time after being discharged to correct any errors or omissions therein[.]

The court shall continue said cause to a day certain for the report of the verdict of said jury, and if said jury are not ready to file their verdict on the day fixed, said cause may be continued from time to time until they have completed their verdict and have returned the same to the court, and all persons interested shall take notice of the time of filing and making said report by the jury.

§ 30. And thereupon said jury shall proceed to elect a foreman and a clerk from said jury, and in charge of such foreman shall proceed to examine the lands, railroads, streets, alleys and public highways to be affected by the proposed work, and ascertain, to the best of their ability and judgment, the benefits which will accrue to the lands, railroads, streets, alleys and public highways, to be affected by the said proposed work, and the damages to the lands taken or damaged thereby, over which the right of way for the construction of the said proposed work has not been obtained, and said jury shall make out their verdict in which shall be set down in proper columns the names of the owners, when known, a description of the premises to be affected, in words or figures, or both, as shall be most convenient, the number of acres in each tract and the amount of benefits assessed, if any, and the amount of damages allowed, if any, against each tract, railroad, public highway, or municipal corporation; and in finding such verdict they shall take into consideration their view of the premises as evidence and consider it with the other testimony offered in the case and allowed by the court, which verdict when so completed, shall produce no more than the total sum of the estimated cost of the proposed work and the proceedings incident to the same, and the amount of damages allowed, and said verdict shall then be signed by the jury and filed in the court, and shall be taken and held to be the verdict of the jury upon all questions of benefits and damages, arising in the proceedings; and thereupon the court may confirm said verdict and enter up judgment upon said verdict, and cause the same to be spread upon the records and such judgment and verdict shall be a lien upon such lands after said judgment, until paid, or court may, if in his judgment, the ends of justice so require, set aside such verdict, or he may set aside such verdict as to any particular tract, or tracts, right of way or other property assessed in such verdict, and confirm the assessments not so set aside; and he may continue the hearing as to the assessments so set aside, and call another jury to hear so much of said assessment roll as was not included in the first judgment. Appeals and writs of error shall be allowed therefrom upon the same conditions as provided in section eight of this Act: *Provided*, that the granting of an appeal in any one or more cases, of one or more persons shall not operate to defer the collection of the judgment in other cases, but the collection in other cases shall proceed as if no appeal had been taken. When said appeals are decided, if the judgment of said county court shall be affirmed, or upon said case being remanded for a new trial, if judgment shall be in favor of said district, the county court shall order the judgment so rendered to be made a part of said judgment not appealed from and the same shall be collected as if no appeal had been taken.

§ 31. In making such assessment, the jury shall award and assess the damages and benefits in favor of and against each tract separately, in the proportion in which such tract of land will be damaged or benefited, and in no case shall any tract of land be assessed for benefits in a greater amount than its proportionate share of the estimated cost of the work and expenses of the proceeding, nor in a greater amount than

it will be benefited by the proposed work, according to the best judgment of the jury, and when directed, by the commissioners, or the court impaneling a jury for making any additional assessment of damages, or benefits, or for the purpose of making assessments in favor of, or against any one or more tracts, as the case may be, in said district, such jury may consider any prior assessment or assessments, against any lands, which are void and unpaid, by reason of some omission, clerical error, mistake, or for want of proper notice to the owner thereof, or on account of other irregularity of proceedings not affecting the merits of such prior assessments, and may include the same or any part thereof with such other assessments.

§ 32. At the time of confirming such assessments it shall be competent for the court to order the assessment of benefits to be paid in installments of such amounts, and at such times, as will be convenient for the accomplishment of the work or payment of bonds that may be issued; otherwise the whole amount of such assessment shall be payable immediately upon such confirmation. The assessments or installments thereof shall draw interest at the rate of six per cent per annum payable annually from the time of confirmation until paid; but if any owner elects, he may pay the whole amount of the assessments, and interest, if any, accrued against his land, before it becomes due: *Provided*, such payment is made before any bonds are issued by the district. Said assessments, and each installment thereof and the interest thereon, shall be a lien upon the lands and property assessed as other taxes, and such lien shall continue until said assessments, installments and interest are paid; and the proceedings of the County Court of the county in which said lands are situated, shall be sufficient notice of such lien. When an assessment against any tract of land has been fully paid, it shall be the duty of the treasurer of such district to execute and deliver to the owner of such land a release in full, which shall discharge such owner from all further liability to pay the same. The release may be recorded in the recorder's office of the county where such lands are situated.

§ 33. Immediately after the entry of such confirmation by the court, the clerk shall make out and certify to the commissioners a copy of such assessment roll, and shall also make out and deliver to the commissioners separate copies of such parts thereof, pertaining to the lands situated in other counties, which shall be recorded in the recorder's office of the respective counties in which the lands are situated, and shall be notice of the lien thereof to all persons.

§ 34. In case the assessments for benefits shall be payable in installments, such installments shall draw interest at six per cent per annum, payable annually, from the time of the confirmation of the assessment roll until they are paid, and such interest may be collected and enforced as part of the assessment: *Provided*, that where no bonds or interest-bearing obligations, at the time of such collection of interest, shall have been issued, or are outstanding against such installments of assessment upon which said interest shall be collected, the commissioners may, under the direction of the court, use the money, so collected as interest.

for the construction or maintenance of any other work or any necessary expenses of said district or any indebtedness of said district.

§ 35. The commissioners, upon receiving such certified copy of such assessment roll, shall immediately cause a notice to be published for three weeks, in the manner required in section six of this Act, in substance as follows:

Notice is hereby given to all persons interested, that an assessment (or installment of the assessment, as the case may be) is now due for drainage purposes for the year A. D. 19...., upon the lands lying within Little Wabash River Drainage District, and the same must be paid to.....treasurer of said district, at his office in.....on or before the [.....] day of.....19....; and in default of such payment, the several tracts of land upon which said assessments (or installment as the case may be) remains unpaid will be sold according to law, to pay the amount of such assessment (or installment) and costs.

Dated this.....day of.....19....

.....
Commissioners.

In case the assessments made are ordered by the court to be paid in installments, said commissioners shall give a like notice, as near as may be, of any installment or installments immediately after such installment or installments become due and payable, which notice shall be a sufficient demand for any assessment or installment that may be due.

§ 36. If the assessment or any installment or installments thereof, or annual amounts of benefits, due upon said lands, shall not be paid on or before the day named in the notice given in section thirty-five (35), of this Act, it shall be the duty of said treasurer, to make out a certified list of such delinquent lands upon which the assessment, or any installment or annual amount of benefits remains unpaid, and the same shall be by him, on or before the tenth day of April next after the same shall have become payable, returned to the county collector of the county or counties in which said lands shall lie; and when the same shall lie in different counties, a separate return shall be made for each county of the delinquent lands therein; and it shall be the duty of the county collector to whom any such returns have been made, to transfer such returns to the tax books in his hands, setting down therein in proper order the several tracts of the real estate, town lots and blocks so returned, and setting opposite to the respective tracts of real estate, lots and blocks, in proper columns prepared for that purpose, the amount of assessments or installments or annual amount of benefits against each tract of real estate, lots and blocks, and the like proceedings shall be had and with the like force and effect in the collection of such delinquent assessment or assessments, or installment or annual amount of benefits unpaid, with interest, and the sale of said real estate, lots, blocks and lands for non-payment thereof, as in ordinary collections of State and county taxes by county collectors, and of sale of real estate by them for such non-payment and of redemption from such sales.

§ 37. This Act shall be liberally construed to promote the reclamation of the wet or overflowed lands to be included in said district; and collection of assessments shall not be defeated by reason of any omission, imperfection or defect in the organization of the district.

§ 38. Notwithstanding the returns of such delinquent list, the treasurer of the district shall be authorized to receive payment of any such delinquent assessments and costs, and may give receipts for the same, but shall keep a memorandum of the same, and on or before the day of sale fixed by said county collector for the sale of such lands, shall present said memorandum or list to said county collector or collectors, for the purpose of having the same checked or marked paid on the delinquent list in his hands, and all amounts collected by the said county collector, by sales or otherwise, after deduction of his fees, shall be paid to the commissioners on demand.

§ 39. The commissioners, when qualified in pursuance of this Act, may do any and all acts that may be necessary in and about planning, surveying, laying, constructing, repairing, altering, enlarging, cleaning, protecting and maintaining any work of said district, including clearing out and removing of obstructions from natural or artificial channels or streams beyond the limits of the district, and to effectually carry out the purpose for which said district was organized, and may use any money of the district arising from assessments for that purpose: *Provided*, that in all cases where the work to be done is the construction of the principal work, the cost of which will exceed five hundred dollars, the same shall be let to the lowest responsible bidder, and the said commissioners shall advertise for sealed bids by notice published in some newspaper published in the county in which the petition is filed, which said notice shall particularly set out the time and place, when and where, the sealed bids will be opened, the kind of work to be let, and the terms of payment. Said commissioners may continue the letting from time to time, if in their judgment the same shall be necessary, and may reserve the right to reject any and all bids. And said commissioners shall not, during their term of office, be interested directly or indirectly in any contract for the construction of any work in said district, nor in the wages of or supplies to men or teams employed on any such work in said district.

§ 40. The commissioners may use money arising from the collection of assessments for the purpose of compromising suits and controversies arising under this Act, and in the employment of all necessary agents and attorneys, and for conducting any proceedings in law or in equity for said district, and for the purpose of planning, laying out, constructing, repairing or maintaining any work of the district, within or without said district, and for procuring right of way for such work, building bridges made necessary by such work, and for any other lawful purpose connected with or growing out of the work of the district: *Provided*, that the commissioners shall use such money under the direction or approval of the court. And assessments from time to time may be levied on the land within said district when it shall appear to the court that the previous assessment or assessments have been expended, or are

inadequate to complete such work, or are necessary for maintenance or repair, or when it shall become necessary for the construction of additional work, or the completion of any work already commenced under the direction and order of the court, or to pay obligations incurred for the current expenses of said district, or in the keeping in repair and protection of the work of such district, on a petition of a majority of the landowners within said district who are of lawful age and represent at least one-third in area of such lands, or on the petition of the commissioners, accompanied by an itemized statement of accounts made by the commissioners under oath, showing the moneys received by the district and the manner in which they have been expended, together with the plans, specifications and profiles of such additional work and estimated cost of the same; two weeks' previous notice of the time set for the hearing of said petition, in the manner required by section six (6) of this Act, having been given. Upon the hearing of such petition the court may grant the prayer of the same, and cause the jury to be impaneled to make said assessment with like proceedings and notice as near as may be as in cases of original assessments of damages and benefits under this Act, and such additional assessment or assessments, when made, shall have the same force and effect and be collected in the same manner as original assessments.

§ 41. The commissioners may borrow money not exceeding ninety per cent of the amount of assessments unpaid at the time of borrowing, for the construction of any work which they shall be authorized to construct, or for the payment of any indebtedness they may have lawfully incurred under the provisions of this Act, and may secure the same by bonds of the district, bearing interest at the rate of not exceeding six per cent per annum, and not running beyond one year after the last assessment or installment of assessment on account of which the money is borrowed shall fall due, which notes or bonds shall not be held to make the commissioners personally liable for money borrowed, but shall constitute a lien upon the assessments for the repayment of the principal and interest thereof; or such bonds may be issued to the amount of ninety per cent of any one installment, and constitute a lien upon such installment alone, falling due within one year after such installment becomes due, such installment to be particularly designated in such bonds: *Provided*, that it shall be the duty of said commissioners to procure the said bonds to be registered in the office of the Auditor of Public Accounts, as the law provides may be done. *Provided*, where the payment of any installment or installments of any assessment has been deferred in pursuance of section thirty-two of this Act, and the court shall find on the petition of the commissioners that it will be for the interests of the district that money should be borrowed to an amount exceeding ninety per cent of such installment or installments, the court on due hearing may, by order entered of record, authorize the borrowing of money to such an amount in excess of ninety per cent of such installment or installments as the court may find to be advisable. The court shall have the power to make all needful orders to carry into effect the provisions of this Act, and no irregularity in the proceedings, either before or after

the organization of the district or in the assessment of benefits, or in the extension of time for the payment of the same, shall in any manner affect the validity of the bonds or coupons issued in pursuance of this Act.

§ 42. All damages over and above benefits to any tract of land, shall be payable out of the amount assessed against other lands assessed for benefits, and shall be paid or tendered to the owner thereof before the commissioners shall be authorized to enter upon his land for the construction of any work thereon. In case the owner is unknown, or there shall be a contest in regard to the ownership of the land, or the commissioners cannot, for any reason, safely pay the same to the owner, they may deposit the same with the clerk of the court, and the court may order the payment thereof to such party as shall appear to be entitled to the same. The damages assessed under this Act, in favor of any tract or tracts of land in such district, shall be in full compensation to the owners thereof, their heirs or assigns, for the perpetual right of way, as located by the commissioners over such lands, of any work, including the right of the commissioners, their employees or contractors, with teams, tools or machinery, to enter upon such lands and construct such work, and, if necessary, to repair or enlarge the same; and any person who shall wilfully prohibit or prevent any of the aforesaid persons from entering such lands for the purpose aforesaid, shall be fined in a sum not to exceed twenty-five dollars (\$25.00) per day, for such hindrance, to be collected as other fines.

§ 43. When the commissioners of said district shall be of opinion that it would be for the best interest of the district that a change, or changes, should be made in the method of construction of any part of the proposed work of said district, or in the location, size, capacity or plan of any of such proposed work, or that any part of such work should be abandoned, the said commissioners shall file their petition in the court in which said district was organized, which petition shall set forth the nature of the proposed change or changes in plans, together with an estimate of the additional or decreased expense of such change or changes, and which shall be signed and sworn to by such commissioners, or a majority of them, and to which petition shall be attached the affidavit of some credible person, giving the names and post office addresses of all owners of lands in said district, not residents of said county or counties. Upon such petition being filed, the court shall set the same for hearing, on some day not less than two weeks or more than four weeks from the filing thereof and the clerk of said court shall proceed to give two weeks' notice of such hearing, in the manner provided in section six (6) of this Act. Upon the hearing thereof, if the court shall find that the said proposed change, or changes does, or do, not materially effect the general nature and character of the proposed work of said district, and does, or do, not decrease the general efficiency of the same, the court shall enter an order to that effect; and shall, at the same time make a finding as to the additional amount that will be required to make such change or changes, or the decreased amount that will be required if such change or changes be made. In case the court shall find that

such change or changes should be made and that additional expenditures will be required to make such change or changes, the court may order the same paid from the general funds of said district, or may order the commissioners to return a roll of additional assessments of benefits against the lands of said district for the additional amount required. In case the court shall order an additional assessment of benefits, or an assessment of benefits and damages, the commissioners and court shall thereafter proceed in the return and confirmation of the same in conformity with the provisions of sections 27, 29, 30 and 31 of this Act. In case the court shall find that the making of such change or changes will decrease the expense of the proposed work of said district, the court shall enter an order abating such proportion of the assessment of benefits as shall have been theretofore made in such uniform proportion as such change or changes shall render unnecessary to be expended. The court may, for good cause shown, continue the hearing on such petition from time to time, and any person interested may appear and resist the application for such proposed change or changes. The court may, on the hearing of said petition make such other or further order in the premises as the circumstances may require in order to do justice to the petitioners and the landowners and persons in said district.

§ 44. The commissioners from the time of their appointment may go upon the lands lying within said district for the purpose of examining the same, and making plans, plats and surveys, and for any other purpose in connection with the work of the district, and after the payment or tender of compensation allowed, may go upon said lands, with their servants, teams, tools, instruments or other equipments, for the purpose of constructing such work, and may forever thereafter enter upon said lands as aforesaid, for the purpose of maintaining or repairing such work, doing no more damage than the necessity of the occasion may require; and any person or persons, who shall wilfully prevent or prohibit any of such persons from entering such lands for the purpose aforesaid, shall be fined any sums not exceeding twenty-five (\$25) dollars per day for each day's hindrance, to be recovered in an action of debt in favor of said district before any justice of the peace, or court of competent jurisdiction, which sum shall be paid into the treasury for the use of said district.

§ 45. Whenever it shall become necessary to construct additional work in said district, or to repair, enlarge, raise, strengthen or protect any work of said district already constructed or in process of construction, the commissioners and their agents, servants and employees may enter upon and take possession of such lands as may be necessary to construct such additional work, or repair, enlarge, raise, strengthen or protect any work already constructed or in process of construction, paying, if the owners of such lands and said commissioners can agree, the value of such lands taken and the amount of damages occasioned thereby to any such land or its appurtenances, and if such owners and commissioners cannot agree then the value of such land and the damages occasioned thereto may be ascertained, determined and paid in the manner that may now or hereafter be provided by any law of eminent domain.

§ 46. When an assessment has been made as provided in the preceding sections, it shall be the duty of the commissioners to provide suitable books, with proper headings and columns, in which shall be inserted, according to township and range, the several tracts of lands against which assessments are to be carried out, the names of the owners, if known, the number of acres to be assessed, the total amounts of assessments, and for what year, and a column for payments, and if any assessments shall remain due and unpaid after the time mentioned in the notices to be given as provided in this Act, it shall be the duty of said treasurer, to make a list of the lands upon which such assessment has not been paid, and deliver such list or lists to the county collector of each county in which such lands may respectively lie, to be by him collected as heretofore provided.

§ 47. When any work of the district organized under this Act drains or protects from overflow or proposes to drain or protect from overflow, either in whole or in part, any public or corporate road or railroad, or the streets and alleys of any municipal corporation, so as to benefit any such roads, streets and alleys, or other property of such corporate road or railroad or municipal corporation, so that the roadbed or traveled track or other property of such public or corporate road, railroad or municipal corporation will be improved by the construction of such work, the commissioners shall apportion to the township if a public road, to the company, if a corporate road or railroad, or to the municipal corporation in the case of streets and alleys, such proportion of the cost and expenses thereof as to private individuals, and shall include such apportionment in said "commissioners' roll of assessments of benefits," and give to the corporate authorities so benefited, or, in case they are damaged, to the said corporate authorities so damaged, or benefited and damaged, as the case may be, the same notice and at the same time as shall be given to private individuals; and the matter of the amount of such assessments of benefits and damages if not agreed upon, shall be submitted to a trial by the same jury in the same manner as the benefits and damages to accrue to private individuals; and the said jury shall view and examine such property, road, railroad, streets and alleys, and shall proceed to assess the damages and benefits in like manner as to the lands of individuals, and no other or different notice shall be required to be given: *Provided*, that when the commissioners and the corporate authorities of the township road, corporate road, or railroad, or municipal corporation, or any of them, agree as to the amount that they or any of them should contribute, the amount so agreed on shall be reported to the said jury when they meet to correct their assessment roll, and the amount so agreed upon shall be incorporated into said assessment roll when amended by said jury or commissioners. In case such assessment is made against any township in this State the commissioners of highways of such town shall cause the same to be levied and paid to said district in such manner as may now or hereafter be provided by law.

§ 48. The commissioners of the district organized under this Act shall have the right to remove any bridge or culvert along or across any

public highway for the purpose of constructing any work of the district, and shall construct suitable bridges over any ditch or channel constructed by said district across any public highway and the cost of constructing, removing and replacing said bridges shall be included as a part of the cost of the construction of the work of said district.

§ 49. When any ditch or drain or other work of said district, enlarging any channel or water-course, is located by the commissioners on the line of any natural depression or water-course, crossing the road of any railroad company where no bridge or culvert or opening of sufficient capacity to allow the natural flow of water of such ditch or water-course is constructed, it shall be the duty of the commissioners to give notice to such railroad company to construct or enlarge such bridge or culvert or opening in the grade of such road, for such ditch or ditches or other work, of the dimensions named in such notice, within thirty days from the service thereof; and any railroad company neglecting, failing, or refusing so to do shall be liable to said district in the sum of twenty-five (\$25) dollars for each day said company shall have neglected or refused to construct such work, after the time fixed in such notice for constructing the same shall have expired, which damages or penalty may be recovered before a justice of the peace, if within his jurisdiction, or before any court of competent jurisdiction.

§ 50. Any land lying outside of the boundaries of the district organized under this Act, the owner or owners of which shall, after its organization, make connection with any ditch or channel or other work of said district, or with any ditch or drain connected with any such work, or whose lands are or will be benefited by the work of said district shall be deemed to have made voluntary application to be included in said district; and thereupon the commissioners shall make complaint in writing, setting forth a description of such land or lands, benefited, and amount of benefits, the name of the owner or owners thereof, also, a description of the drain or ditch making connection with the ditches or other work of said district, as near as may be, and file said complaint in the court in which said district is organized. The court shall fix a day, not less than fifteen days from such filing, when it will hear such complaint, and thereupon the commissioners shall give ten days' notice thereof in writing; said notice shall embrace a copy of such complaint, and service thereof shall be by reading or delivering a copy thereof to such owner or owners, or by either publishing a copy of said petition or posting copies thereof within the territory sought to be annexed in the same manner as provided by section six of said Act; and an affidavit of such service shall be evidence thereof. At the time fixed, or at a time continued from such time fixed, the court shall hear said cause, and if judgment is given in favor of said district, a record of such judgment giving a description of such lands annexed shall be made, and such lands described in the complaint in either case, shall be deemed a part of such district and shall be assessed as other lands therein. The assessments of benefits against such lands so added to said district, may be made at any time the commissioners may deem proper; and the assessment roll thereof shall be filed and recorded and proceedings thereon had as in

other cases; or such lands may be assessed when all lands throughout the district are assessed.

§ 51. Whenever it shall appear to the court that any of the proceedings for the organization of said district, or any assessment of benefits under this Act, is invalid as to one or more tracts of land jointly or severally owned, situated in said district, or that any tract of land has been omitted from such assessment by reason of clerical error or other mistake, or want of proper notice required by this Act, such want of notice shall not invalidate said organization, neither shall such assessment of benefits be lost to the district; but the commissioners of said district may file a petition against the owner or owners, his heirs or assigns, of such lands irregularly assessed or omitted in said court, describing in such petition the boundaries and name of the district, the land owned by the defendants, the amount of benefits assessed against such lands, reciting such irregularity of notice and omissions, and praying the defects and omissions may be cured, and such assessments be made valid, and that the lands omitted, if any, may be assessed or made a part of the district, as the case may be.

§ 52. Upon the filing of such petition, summons shall be issued thereon made returnable to said court, and served ten days before the next succeeding term thereof, in the manner now provided by law for issuing and service of summons in chancery cases; and in case the defendants, or either of them are non-residents of this State like proceedings and practice shall be had and notice by publication shall be given as provided by law in chancery cases. And every defendant notified as required by this Act shall by his answer show cause why the prayer of the petition should not be granted; and in default of such answer the court shall give judgment according to the prayer of the petition. In case the defendants appear and answer the court, on the trial of the cause, shall hear oral or written evidence, and give judgment therein as in cases of equity and may grant the prayer of such petition: *Provided*, in case the petition asks to make valid an assessment of benefits, or to make assessments against lands omitted, the defendant, if he demands it shall be entitled to a jury, and the jury shall be sworn and shall proceed in the manner provided by this Act, as near as may be, for making assessments and make a special assessment roll as to the lands named in the petition and return the same in said court, and such further proceedings and confirmation shall be had therein as provided in this Act in cases of other assessments; and the defendants may appeal from the judgment of the court upon the same condition provided by this Act for appeals from judgment in other cases of assessments of benefits.

§ 53. Each bond issued as provided for by this Act shall be attested by the clerk of the court in which the district is organized and said clerk shall also make a certified statement thereon, affixing his seal of office thereto, of the total amount of assessments and rate of interest it bears pledged for the payment of said bond and other bonds, if any issued; the date, number, denomination and time due of all bonds issued which are a lien upon the assessments or installments of assessments of the district; when the assessments were confirmed by the court, and the

number of acres of land in the district against which said assessments were made.

§ 54. Any person who shall wrongfully and purposely cut, injure, destroy, or in any manner impair the usefulness of any work constructed under the provisions of this Act may be fined in any sum, not exceeding two hundred dollars, to be recovered in any court of competent jurisdiction, and all fines when collected shall be paid to the commissioners of said district to be used for the work so injured.

§ 55. The said Little Wabash River Drainage District shall not remove, destroy, appropriate or use any drain, ditch or other work of any drainage district organized under any law of this State without paying to such drainage district just compensation therefor. In case the commissioners of said Little Wabash River Drainage District and the corporate authorities of any such drainage district shall be unable to agree upon the compensation to be paid to such drainage district, the same may be ascertained and enforced by any proper proceeding in any court of competent jurisdiction. Upon payment of such compensation being made, said Little Wabash River Drainage District shall have the right to appropriate and use such ditches, drains or other work, or any part thereof, as it may desire, and being within its boundaries, for or in connection with any improvements authorized by this Act, and for or in connection with the purposes for which said Little Wabash River Drainage District is organized: *Provided*, no such drain, ditch or work, shall be destroyed or removed or so used as to impair its usefulness for the purposes for which the same was constructed, without the consent of the corporate authorities of such drainage district.

§ 56. The said Little Wabash River Drainage District shall have the power to acquire by purchase, condemnation, or otherwise, any and all real and personal property, right of ways and privileges, either within or without its corporate limits, required for its corporate purposes, and when such property is no longer required for such purposes, to sell, convey or otherwise dispose of the same, such condemnation to be had under the eminent domain laws of this State.

§ 57. No bonds issued or sold by said district under the provisions of this Act shall be issued or sold for less than their par value and accrued interest at the time of delivery. All bonds issued or sold shall be registered by the secretary of the commissioners in a well-bound book before delivery. Such registration shall show the date and amount of each bond, the maturity thereof, the rate of interest it draws, when the interest is payable and to whom delivered. When bonds are paid they shall be cancelled by the treasurer of the district and the date of cancellation shall be entered on said register by said secretary.

§ 58. WHEREAS, an emergency exists, this Act shall be in force from and after its passage.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

REORGANIZATION OF DISTRICT CONTAINING CITY, TOWN OR VILLAGE.

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| <p>§ 1. Petition for reorganization of farm lands into separate district—officers of drainage district defendants—notice of hearing.</p> <p>§ 2. Hearing—order authorizing reorganization—adjacent land may remain in original district.</p> | <p>§ 3. Division of indebtedness—expense of administration.</p> <p>§ 4. Injury or interference with drainage of lands of either district—settlement of disputes.</p> |
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(HOUSE BILL NO. 729. FILED JUNE 26, 1917.)

AN ACT to enable the owners of farm lands which form any part of a drainage district, in which there is located in whole or in part a city, town or village, to reorganize as a separate drainage district with certain rights and duties in relation thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the owners of three-fourths of the farm lands in any drainage district in which there is located, in whole or in part, any city, town, or village, shall petition the County Court of the county in which said drainage district is located for the reorganization of such farm lands into a separate drainage district for the reason that a majority of the land owners who are entitled to vote for offices of said drainage [district] reside in such city, town or village, and shall make the officers of such drainage district defendants to said petition, the judge of the County Court of such county shall in a summary manner hear such petition. The County Court shall give the officers of such drainage district at least ten days' notice of such hearing by serving upon them a copy of such petition in the same manner that other legal process by summons is served upon defendants in said court.

§ 2. If upon said hearing it shall appear that the allegations in said petition are true, the County Court shall enter an order authorizing such owners of farm lands to reorganize and become a separate drainage district with the power to select their own officers and have the same rights, powers and duties as if originally organized without having included therein, in whole or in part, any city, town, or village. *Provided*, that the owner of any portion of such farm lands which may lie adjacent to such city, town or village may by filing with the said court in such proceeding a written request to that effect remain in the original drainage district and not become or be a part of said reorganized district.

§ 3. The county judge in such summary proceeding shall ascertain the amount of valid indebtedness outstanding against said drainage district and shall find and determine the amount of the same that shall be borne by such reorganized district and embrace the same in the order in relation to such proceeding. It shall be the duty of the reorganized drainage district to contribute its just proportion of such indebtedness in manner and form as shall be ordered by said County Court. No expense of administration in said district shall be required to be paid by said reorganized district.

§ 4. Neither the said drainage district or the reorganized district shall do any act that will injure or interfere with the drainage of the lands in either of such districts. If any dispute shall arise in relation to the affairs of said drainage districts, such dispute shall be submitted in a summary manner by petition of either party to the County Court in

which such districts are located and the decision and order of the said County Court in relation thereto shall be final.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

SANITARY DISTRICTS—LEGALIZING APPROPRIATIONS, TAX LEVIES AND BONDS.

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| § 1. Appropriations, tax levies and bonds made or issued by board of trustees without giving notice by publication or posting notice made legal and valid—proviso. | § 2. Emergency. |
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(HOUSE BILL NO. 509. APPROVED MAY 3, 1917.)

AN ACT concerning sanitary districts organized and existing under and by virtue of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, to make legal and valid all ordinances, orders or resolutions heretofore passed or adopted by the board of trustees of any such sanitary district, making appropriations providing for the issuance of bonds and making a certain tax levy, and to make legal and valid all appropriations so made, or attempted to be made, and certain taxes so levied or attempted to be levied and all bonds so issued or attempted to be issued by the board of trustees of any such sanitary district.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when the board of trustees of any sanitary district organized and existing under and by virtue of an Act entitled, "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, has heretofore passed or adopted any order, resolution or ordinance, or any orders, resolutions or ordinances making any appropriations, tax levies, or providing for the issuance of bonds, at any time or times, (one or more times,) and regardless of whether any such order, resolution or ordinance was published within one month after the same was passed by the board of trustees of any such sanitary district at least once in a newspaper of general circulation published in said district, or if no such newspaper of general circulation was published therein, regardless of whether copies of the same were posted in three public places in such district, all such orders, resolutions or ordinances making appropriations, tax levies or providing for the issuance of bonds, and all appropriations so made, or attempted to be made, and all taxes for any purposes not prohibited by or in violation of the Constitution of this State so levied or attempted to be levied, and extensions thereof and therefor, and all bonds so issued or attempted to be issued by the board of trustees of any such sanitary district shall be and are hereby declared to be legal and valid, anything in any law of this State to the contrary notwithstanding; *provided, however,* that nothing in this Act shall apply to or effect the tax levy ordinance passed or adopted by

the board of trustees of any such sanitary district providing for the levy and extension of taxes for the year 1915.

§ 2. WHEREAS, an emergency exists, therefore this Act shall be in full force and effect from and after its passage.

APPROVED May 3, 1917.

SANITARY DISTRICTS—LEVY AND COLLECTION OF TAXES FOR CORPORATE PURPOSES.

§ 1. Amends section 17, and repeals section 22, Act of 1907.

§ 17. As amended, adds provision that taxes levied for corporate purposes shall not be included in the taxes required to be reduced under the Revenue Law of 1901.

(HOUSE BILL No. 511. APPROVED JUNE 14, 1917.)

AN ACT to amend section 17 of "*An Act to create sanitary districts in certain localities and to drain and protect the same from overflow for sanitary purposes*," approved May 17, 1907, in force July 1, 1907, and to further amend said Act by repealing section 22 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 22 of an Act entitled, "*An Act to create sanitary districts in certain localities and to drain and protect the same from overflow for sanitary purposes*," approved May 17, 1907, in force July 1, 1907, be repealed and that section 17 of said Act be amended to read as follows:

§ 17. The board of trustees shall have power to levy and collect taxes for corporate purposes. Such taxes shall be levied by ordinance specifying the purposes for which the same are required, and a certified copy of such ordinance shall be filed with the county clerk of the county in which said district was organized, on or before the second Tuesday in August, as provided in section 122 of the General Revenue Law. After the assessment for the current year has been equalized by the State Board of Equalization, said board of trustees shall, as soon as may be, ascertain and certify to such county clerk the total value of all taxable property lying within the corporate limits of such district in each of said counties in which said district is situated, as the same is assessed and equalized for State and county purposes for the current year; and it shall be the duty of said clerk to ascertain the rate per cent which, upon the total valuation of all such property, ascertained as aforesaid, would produce a net amount not less than the amount so directed to be levied; and said clerk shall, without delay, certify under his hand and seal of office to the county clerk of such other county, in which a portion of said district is situate such rate per cent; and it shall be the duty of each of said county clerks to extend such tax in a separate column upon the books of the collector or collectors of the State and county taxes for said counties, against all property in their respective counties, within the limits of said district. All taxes so levied and certified shall be collected and enforced in the same manner, and by the same officers as State and county taxes, and shall be paid over by the officers collecting the same, to the treasurer of the sanitary district, in the manner and at the time provided by the General Revenue Law. The aggregate

amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness and interest thereon, shall not exceed the rate of 2 per centum upon the aggregate valuation of all property within such district, subject to taxation therein, as the same was equalized for State and county taxes for the current year: *Provided*, that an amount not exceeding an additional 3 per centum of such valuation may be levied and collected hereunder, if the question of making such additional levy shall have been previously submitted to the legal voters of said district upon not less than three weeks' notice, published as provided in section 2 hereof and a majority of the votes cast shall be in favor thereof: *Provided, further*, that in all cases where any such board of trustees has heretofore certified to the county clerk the said total value of all taxable property in any such district, in the manner and at the time provided in this section, such act of said board of trustees shall be deemed and held legal and valid: *Provided, further*, that said taxes herein provided to be levied shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, and Acts amendatory thereof.

APPROVED June 14, 1917.

SANITARY DISTRICTS AND SEWAGE DISPOSAL.

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| § 1. Territory to be included—petition—county judge and two circuit judges commissioners — notice and hearing — notice of election — ballots—elections. | § 11. Contracts to lowest bidder—public notice. |
| § 2. Judicial notice to be taken of districts. | § 12. Taxes for corporate purposes — limitation—equalization — taxes in excess of limitation — levy, certification, and collection—interest upon funds—taxes not to be scaled under June Law 1901. |
| § 3. County judge to appoint trustees —term of office—bond—not to be interested in contracts—corporate seal. | § 13. Easement over public highways, and over State lands and waters, subject to conditions. |
| § 4. Trustees to exercise corporate powers—to elect treasurer, engineer and attorney. | § 14. U. S. Military Posts and Naval Stations. |
| § 5. Ordinances to be published. | § 15. Exercise of eminent domain according to Act 1872. |
| § 6. Published ordinances and certified copies to be evidence. | § 16. Authority to take possession of public property. |
| § 7. Sewage disposal — Lake Michigan not to be contaminated. | § 17. District permitted to serve outlying territory and to acquire use of property of other sanitary districts. |
| § 8. Eminent domain — condemnation proceedings — may dispose of property. | § 18. Power to prevent pollution of waters—police powers—3 mile limit — cooperation with other municipal police. |
| § 9. Power to borrow money—bonds—notice of election—bond issues limited to 20 years. | |
| § 10. Direct annual tax to pay interest and debt. | |

(HOUSE BILL NO. 299. APPROVED JUNE 22, 1917.)

AN ACT to create sanitary districts and to provide for sewage disposal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any area of con-

tiguous territory shall contain one or more incorporated cities, towns or villages or parts of one or more incorporated cities, towns or villages, and shall be so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of a common outlet for the drainage thereof, will conduce to the preservation of the public health, the same may be incorporated as a sanitary district under this Act in the manner following:

Any one hundred (100) legal voters, resident within the limits of such proposed sanitary district may petition the county judge of the county in which the proposed district, or the major portion thereof is located, to cause the question to be submitted to the legal voters of such proposed district whether such proposed territory shall be organized as a sanitary district under this Act, such petition shall be addressed to said county judge and shall contain a definite description of the boundaries of the territory to be embraced in such district, and the name of such proposed sanitary district; *Provided, however*, that no territory shall be included in any municipal corporation formed hereunder which is not situated within the limits of a city, incorporated town or village, or within three miles outside thereof, and no territory shall be included within more than one sanitary district organized under this Act or any other Act. Upon filing of such petition in the office of the county clerk of the county in which such territory or the major portion thereof is situated, it shall be the duty of the county judge to call to his assistance two judges of the Circuit Court of the circuit embracing such proposed district or major portion thereof and such said county judge and circuit judges shall constitute a board of commissioners which shall have power and authority to consider the boundaries of any such proposed sanitary district, whether the same shall be as described in such petition or otherwise, and the decision of two of such commissioners shall be conclusive and not subject to review in any manner, directly or indirectly.

Notice shall be given by such county judge of the time and place where such commissioners will meet, by a publication inserted in one or more daily or weekly papers published in such proposed district, at least twenty days prior to such meeting and if no such newspaper is published in such proposed district, then by posting at least five copies of such notice in such proposed district at least twenty (20) days before such hearing.

At such meeting the county judge shall preside and all persons in such proposed district shall have an opportunity to be heard touching the location and boundary of such proposed district and to make suggestions regarding the same, and such commissioners, after hearing statements, evidence and suggestions, shall fix and determine the limits and boundaries of such proposed district, and for that purpose and to that extent may alter and amend such petition. After such determination by said commissioners or a majority of them, the same shall be incorporated in an order which shall be spread at length upon the records of the County Court. Upon the entering of such order, the county judge shall submit to the legal voters of the proposed sanitary district, the question of organization and establishment of the proposed sanitary district as

determined by said commissioners, at an election to be held within sixty (60) days after the entering of such order, notice whereof shall be given by the county judge at least twenty (20) days prior thereto by publication in one or more daily or weekly papers published within such proposed sanitary district, or if no daily or weekly newspaper is published in such proposed sanitary district, then by posting at least five copies of such notice in said district at least twenty (20) days before such election. Such notice to specify briefly the purpose of such election, with a description of such proposed district, and the time and places for holding such election.

Each legal voter resident within such proposed sanitary district shall have the right to cast a ballot at such election. Ballots at elections held under this section shall be in substantially the following form, to-wit.

For Sanitary District.	
Against Sanitary District.	

The ballots so cast shall be received, returned and canvassed in the same manner and by the same officers as is provided by law, in the case of ballots cast for county officers, except as herein modified. The county judge shall cause a statement of the result of such election to be spread upon the records of the County Court. If a majority of the votes cast upon the question of incorporation of the proposed sanitary district shall be in favor of the proposed sanitary district, such proposed district shall thenceforth be deemed an organized sanitary district under this Act.

§ 2. All courts in this State shall take judicial notice of the existence of all sanitary districts organized under this Act.

§ 3. A board of trustees, consisting of three members, for the government, control and management of the affairs and business of each sanitary district organized under this Act shall be created in the following manner:

Within twenty (20) days after the adoption of said Act, as provided in section one hereof, the said county judge shall appoint three trustees not more than two of whom shall be from one incorporated city, town or village in districts in which are included two or more incorporated cities, towns or villages, or parts of two or more incorporated cities, towns or villages, who shall hold their office respectively for one, two and three years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the said county judge shall appoint one trustee whose term shall be for three years commencing the first Monday in May of the year in which they are respectively appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

Said county judge shall require each of said trustees to enter into bond, with security to be approved by such county judge, in such sum as said county judge may determine.

A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. No trustee or employee of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or other property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said district. *Provided*, that nothing herein shall be construed as prohibiting the appointment or selection of any person as trustee or employee whose only interest in said district is as an owner of real estate in said district or of contributing to the payment of taxes levied by the said district. The trustees shall have the power to provide and adopt a corporate seal for the district.

§ 4. The trustees appointed in pursuance of the foregoing provisions of this Act shall constitute a board of trustees for the district for which they are appointed, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and control all the affairs and property of such district; said board of trustees immediately after their appointment and at their first meeting in May of each year thereafter, shall elect one of their number as president and one of their number as clerk, and said board of trustees shall have the right to elect a treasurer, engineer and attorney for said district, who shall hold their respective offices during the pleasure of the board, and who shall give such bond as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employees of said sanitary district: *Provided, however*, that a member of said board of trustees shall in no case receive a sum to exceed the sum of one hundred (\$100) dollars per annum. Said board of trustees shall have full power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of said board of trustees and of said corporation, and for carrying into effect the objects for which such sanitary district is formed.

§ 5. All ordinances imposing any penalty or making any appropriations shall, within one month after they are passed, be published at least once in a newspaper published in such district, or if no such newspaper of general circulation is published therein, by posting copies of the same in three public places in the district; and no such ordinance shall take effect until ten days after it is so published, and all other ordinances, orders and resolutions, shall take effect from and after their passage unless otherwise provided therein.

§ 6. All ordinances, orders and resolutions, and the date of publication thereof, may be proven by the certificate of the clerk under the seal of the corporation, and when printed in book or pamphlet form, and purporting to be published by the board of trustees, such book or pamphlet shall be received as evidence of the passage and legal publication of

such ordinances, orders and resolutions, as of the dates mentioned in such book or pamphlet in all courts and places without further proof.

§ 7. The board of trustees of any sanitary district organized under this Act shall have power to provide for the disposal of the sewage thereof including the sewage and drainage of any incorporated city, town or village within the boundaries of such district and to save and preserve the water supplied to the inhabitants of such district from contamination and for that purpose may construct and maintain an enclosed conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, and by means of pumps or otherwise cause such sewage to flow or to be forced through such conduit or conduits, pipe or pipes to and into any ditch or canal constructed and operated by any other sanitary district, after having first acquired the right so to do, or such board may provide for the drainage of such district by laying out, establishing, constructing and maintaining one or more channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed, in a satisfactory manner, including pumps and pumping stations and the operation of the same. Such board may also treat and purify such sewage so that when the same shall flow into any lake or other watercourse, it will not injuriously contaminate the waters thereof, and may adopt any other feasible method to accomplish the object for which such sanitary district may be created, and may also provide means whereby the said sanitary district may reach and procure supplies of water for diluting and flushing purposes: *Provided, however,* that nothing herein contained shall be construed to empower or authorize such board of trustees to operate a system of water works for the purpose of furnishing or delivery water to any such municipality or to the inhabitants thereof. Nothing in this Act contained shall authorize said trustees to flow the sewage of such district into Lake Michigan and any such plan for sewage disposal by any sanitary district organized hereunder, is hereby prohibited.

§ 8. Such sanitary district may acquire by purchase, condemnation, or otherwise any and all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purposes; and in case any district formed hereunder shall be unable to agree with any other sanitary district upon the terms under which it shall be permitted to use the drains, channels or ditches of such other sanitary district, the right to so use the same may be acquired by condemnation in any court of competent jurisdiction by proceedings in the manner, as near as may be, as is provided in and by an Act entitled, "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts:" approved and in force May 29, 1879, and all amendments thereto. The compensation to be paid for such use may be a gross sum, or it may be in the form of an annual rental, to be paid in yearly installments as and in the manner provided by the judg-

ment or decree of the court wherein such proceedings may be had: *Provided, however*, when such compensation is fixed at a gross sum all moneys for the purchase and condemnation of any property shall be paid before possession is taken or any work done on the premises damaged by the construction of such channel or outlet, and in case of an appeal from the County Court taken by either party whereby the amount of damages is not finally determined, then possession may be taken, provided that the amount of judgment in such court shall be deposited at some bank to be designated by the judge of said court, subject to the payment of such damages on orders signed by such county judge, whenever the amount of damages is finally determined. Said sanitary district shall have the power to sell, convey, vacate and release the said real or personal property, right of way and privileges acquired by it when the same is no longer required for the purposes of said district.

§ 9. The corporation may borrow money for corporate purposes and may issue bonds therefor, but shall not become indebted in any manner, or for any purpose, to an amount in the aggregate to exceed five per centum on the valuation of taxable property therein to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness. Whenever the board of trustees of such district desires to issue bonds hereunder they shall order an election to be held in such district upon the question. The notice of election shall state the amount of bonds to be issued and the polling places, at which such election shall be held, and shall be posted in at least five public places at least twenty days prior to the election. Such election notice shall also be published in a newspaper published in said district at least twenty days prior to the election. The board of trustees shall appoint judges and clerks for such election, and the return of such election shall be filed with the clerk of the board of trustees and be canvassed and the result ascertained by said board and entered upon the records of the district. If it shall appear that a majority of the voters voting at said election on said question shall have voted in favor of the issue of said bonds, the board of trustees shall order and direct the execution of the bonds for and on behalf of said district. All bonds issued hereunder shall mature in not exceeding twenty annual installments. The ballots at elections held under this section shall be in substantially the following form:

Proposition to issue bonds of.....dis- trict to the amount of.....dollars.	Yes	
	No	

§ 10: At the time of or before incurring any indebtedness, the board of trustees shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof as the same shall fall due, and at least within twenty years from the time of contracting the same.

§ 11. All contracts for work to be done by such municipality, the expense of which will exceed five hundred dollars, shall be let to the lowest responsible bidder therefor upon not less than thirty days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in said district, and the said board shall have the power and authority to reject any and all bids, and readvertise.

And in all other respects such contract shall be entered into and the performance thereof controlled by the provisions of an Act entitled "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897 and amendments thereto as near as may be; *Provided*, that contracts may be let for making proper and suitable connections between the mains and outlets of the respective sewers in said district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district.

§ 12. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which for each year shall not exceed one-half of one per centum of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made, *Provided, however*, that a like sum in addition thereto may be levied when such additional tax has been authorized by the legal voters of such district at an election duly called therefor. Such election shall be governed by the terms of this Act relating to elections held to decide on the proposition of issuing bonds of said district.

Said board shall cause the amount required to be raised by taxation in each year to be certified to the county clerk on or before the second Tuesday in August, as provided in section one hundred and twenty-two of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depository, require such bank or other depository to pay the same rates of interest for such moneys deposited as such bank or other depository is accustomed to pay depositors under like circumstances, in the usual course of its business. All interest so paid shall be placed in the general fund of the district, to be used as other moneys belonging to such district raised by general taxation "The annual tax provided for herein and the taxes levied hereunder for the payment of the principal of and the interest upon bonded indebtedness of the district shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an Act entitled, "An Act concerning the levy and extension of taxes, approved May 9, 1901, in force July 1, 1901, and all amendatory Acts thereof."

§ 13. Every such district is authorized to construct, maintain, alter and extend its sewers, channels, ditches and drains, as a proper use

of highways along, upon, under and across any highway, street, alley or public ground in the State, but so as not to incommode the public use thereof, and the right and authority are hereby granted to any such district to construct, maintain and operate any conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, in, upon and along any of the lands owned by said State under any of the public waters therein; *Provided*, that the extent and location of the lands and waters so as to be used and appropriated by the Governor of said State of Illinois, upon application duly made to him asking for such approval: *And provided further* that the rights, permission and authority hereby granted shall be subject to all public rights of commerce and navigation, and to the authority of the United States in behalf of such public rights and also to the right of said State of Illinois to regulate and control fishing in said public waters.

§ 14. Whenever there shall be located within the bounds of any such sanitary district organized under the provisions of this Act, any United States military post, reservation or station, or any naval station, the said board of trustees of such district are hereby authorized to enter into contracts or agreements with the War Department, or other proper authorities of the United States, permitting them to connect with any such conduit or conduits, main pipe or pipes, and discharge the drainage, sewage or other impure or contaminated liquids therein.

§ 15. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and may condemn and acquire possession thereof in the same manner as nearly as may be as is provided in an Act entitled "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, and all amendments thereto: *Provided, however*, that proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases, be instituted in the county where the property sought to be taken or damaged is situated: *And, provided*, that all damages to property whether determined by agreement or by final judgment of court shall be paid, prior to the payment of any other debt or obligation.

§ 16. When, in making any improvements which any district is authorized by this Act to make, it shall be necessary to enter upon and take possession of any existing drains, sewers, sewer outlets, plants for the purification of sewage or water, or any other public property, or property held for public use, the board of trustees of such district shall have the power so to do and may acquire the necessary right of way over any other property held for public use in the same manner as is herein provided for acquiring private property, and may enter upon, and use the same for the purposes aforesaid: *Provided*, the public use thereof shall not be unnecessarily interrupted or interfered with, and that the same shall be restored to its former usefulness as soon as possible.

§ 17. Any district formed hereunder shall have the right to permit territory lying outside its limits whether within any other sanitary

district or not to drain into and use any channel or drain made by it, upon such payments, terms and conditions as may be mutually agreed upon, and any district formed hereunder is hereby given full power and authority to contract for the right to use any drain or channel which may be made by any other sanitary district, upon such terms as may be mutually agreed upon, and to raise the money called for by any such contract in the same way and to the same extent as such district is authorized to raise money for any other corporate purposes.

§ 18. The board of trustees of any such sanitary district shall have power and authority to prevent the pollution of any waters from which a water supply may be obtained by any city, town or village within said district, and shall have the right and power to appoint and support a sufficient police force, the members of which may have and exercise police powers over the territory within such drainage district, and over the waters from which said water supply may be obtained, for a distance of three miles from the shore thereof, or from the source of said water supply for the purpose of preventing the pollution of said waters, and any interference with any of the property of such sanitary district; but such police officers when acting within the limits of any such city, town or village, shall act in aid of the regular police force thereof, and shall then be subject to the direction of its chief of police, city or village marshals or other head thereof: *Provided*, that in so doing they shall not be prevented or hindered from executing the orders and authority of said board of trustees of such sanitary district: *Provided, further*, that before compelling a change in any method of disposal of sewage so as to prevent the said pollution of any water, the board of trustees of such district shall first have provided means to prevent the pollution of said water from sewage or refuse originating from their own sanitary district.

APPROVED June 22, 1917.

SANITARY DISTRICTS.

§ 1. Amends section 26, Act of 1889.

§ 26. Water supplies, how and upon what terms furnished.

(HOUSE BILL NO. 949. FILED JUNE 28, 1917.)

AN ACT to amend section 26 of an Act entitled, "*An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois rivers,*" approved May 29, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 26 of an Act entitled, "*An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois rivers,*" approved May 29, 1889, in force July 1, 1889, be and the same is hereby amended to read as follows:

§ 26. Whenever in any such sanitary district there shall be a city, incorporated town or village, which owns a system of water-works and supplies water from a lake or other source which will be saved and preserved from sewage pollution, by the construction of the main channel, drain, ditch or outlet herein provided for, and the turning of the sewage

of such city and district therein, and there shall be in such sanitary district any territory bordering on any such city, incorporated town or village, within the limits of another city, incorporated town or village, which does not own any system of water-works, at the time of the creation of such sanitary district then upon application by the corporate authorities of such latter named city, incorporated town or village, the corporate authorities of such city, incorporated town or village, having such system of water-works shall furnish water at the boundary line between such municipalities by means of its water-works to the corporate authorities asking for the same in such quantities as may be required to supply consumers within said territory, at no greater price or charge than it charges and collects of consumers within its limits for water furnished through meters in like large quantities:

Provided, however, that where any such latter named city, incorporated town or village has no territory bordering upon such city, incorporated town or village so owning a system of water-works and supplying water as aforesaid, such latter named city, incorporated town or village may receive water in the same manner and under the same conditions as though it had territory bordering upon such municipality owning a system of water-works and supplying water as aforesaid; *provided* such latter named city, incorporated town or village builds or causes to be built suitable and sufficient water mains to the limits of such city, incorporated town or village so owning a system of water-works and supplying water as aforesaid to connect with the water mains and receive the water from such city, incorporated town or village so owning a system of water-works and supplying water as aforesaid.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

SKILLET FORK RIVER DRAINAGE DISTRICT.

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| § 1. Organization authorized. | § 12. Oath. |
| § 2. What territory district may include—petition by land-owners. | § 13. Chairman — secretary — record of proceedings. |
| § 3. May include lands of any other drainage district. | § 14. Meetings of commissioners—quorum—employees. |
| § 4. What petition shall state. | § 15. Neglect of commissioner to discharge duty—removal. |
| § 5. Affidavit as to nonresident land-owners. | § 16. Bond. |
| § 6. Filing of petition—hearing—notice, what to contain—notice to nonresidents. | § 17. Reports—hearing—failure to make report. |
| § 7. Jurisdiction of County Court. | § 18. Compensation of commissioners. |
| § 8. Hearing—findings of the court—appeal to Supreme Court. | § 19. Treasurer—bond. |
| § 9. When organization completed—seal. | § 20. How money paid out. |
| § 10. Appointment of commissioners. | § 21. Duty of treasurer—term—compensation—interest on deposits. |
| § 11. Removal of commissioners—vacancies. | § 22. Commissioners may borrow money. |

SKILLET FORK RIVER DRAINAGE DISTRICT—Concluded.

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| <p>§ 23. Commissioners shall locate, design, lay out and plan work—surveys, profiles, plans and specifications—estimate of cost—report to court.</p> <p>§ 24. Hearing of report—notice.</p> <p>§ 25. Order of confirmation—continuance of hearing.</p> <p>§ 26. Finding of court final.</p> <p>§ 27. Right of way—commissioners' roll of assessments of benefits.</p> <p>§ 28. When commissioners unable to acquire right of way by agreement, damages ascertained by jury.</p> <p>§ 29. Filing of roll—notice by commissioners—hearing before jury—form of verdict—cause may be continued.</p> <p>§ 30. Organization of jury—examination of lands—verdict—confirmation—appeal.</p> <p>§ 31. Assessment of damages and benefits.</p> <p>§ 32. Payment of benefits in installments—assessments lien upon lands.</p> <p>§ 33. Certified copy of assessment roll delivered to commissioners.</p> <p>§ 34. Installments—interest.</p> <p>§ 35. Commissioners to give notice of assessment—form.</p> <p>§ 36. Delinquent assessments—return—sale.</p> <p>§ 37. Act to be liberally construed.</p> <p>§ 38. Payment of delinquent assessment before sale.</p> <p>§ 39. Letting contracts—advertising for bids—commissioner not to be interested in any contract.</p> <p>§ 40. Suits—money to be used under direction of court—additional assessments.</p> | <p>§ 41. Commissioners may borrow money.</p> <p>§ 42. Payment of damages.</p> <p>§ 43. Change in construction.</p> <p>§ 44. Commissioners may go upon lands.</p> <p>§ 45. When necessary to construct additional work—may take lands.</p> <p>§ 46. Assessment book — treasurer to make list of unpaid assessments.</p> <p>§ 47. Assessment of corporate road, railroad, or municipal corporation for benefits—assessment against township.</p> <p>§ 48. Removal and construction of bridges or culverts.</p> <p>§ 49. When ditch or drain crosses railroad—notice to construct bridge.</p> <p>§ 50. Assessing lands benefitted outside of district—proceedings.</p> <p>§ 51. When assessment invalid as to one or more tracts of land omitted by mistake—proceedings.</p> <p>§ 52. Proceeding to make an assessment valid.</p> <p>§ 53. Bonds—how attested.</p> <p>§ 54. Penalty for injuring any work constructed.</p> <p>§ 55. May appropriate and use drains and ditches of other district.</p> <p>§ 56. Power to acquire or sell real or personal property.</p> <p>§ 57. Sale of bonds—cancellation.</p> <p>§ 58. Voluntary payment of assessment conclusive as to acceptance of provisions of Act.</p> <p>§ 59. Emergency.</p> |
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(SENATE BILL No. 186. APPROVED APRIL 11, 1917.)

AN ACT to provide for the organization of Skillet Fork River Drainage District and for the improvement of the channel of Skillet Fork River and its tributaries by special assessments on the property benefitted thereby.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That, for the purpose of straightening, enlarging, deepening, embanking, constructing new or improved outlets or otherwise improving the channel, or any part thereof, of the Skillet Fork River and the bayous, lagoons and lesser streams tributary thereto for a more free flow of water and protection from overflow, a river drainage district to be known as Skillet Fork River Drainage District may be organized as hereinafter provided.*

§ 2. Said district may include all contiguous territory so situate that the water from such territory naturally flows or is drained into said Skillet Fork River, and any twenty or more adult landowners owning lands in said territory may file a petition in the County Court of the county in which the greater portion of the lands of said territory shall lie praying that steps be taken to organize such territory into Skillet Fork River Drainage District under the provisions of this Act.

§ 3. Said river drainage district may include within its limits the whole or any part of the lands of any drainage district organized under any law of this State for the drainage or protection of lands from overflow for agricultural, sanitary or mining purposes when the water of said lands flows or is drained into said Skillet Fork River or when said stream is the outlet of the drains or ditches of said drainage district, and such lands shall be a part of said river drainage district and may be assessed for the construction of the work of said river drainage district.

§ 4. The petition for the organization of the district shall state that petitioners propose the organization of Skillet Fork River Drainage District under the provisions of this Act, and the boundaries of the territory to be embraced therein; that the water of the lands lying within the boundaries of said district naturally flows or is drained into said river, and that said lands are contiguous and will be benefited by the improvement of the channel of said river; that Skillet Fork River Drainage District embracing said lands should be organized for the purpose of improving the channel of said stream or the tributaries thereof, for a better outlet and more free flow of the water or protection from overflow of said lands, for agricultural and sanitary purposes, by special assessments upon the property benefited thereby. And the petition may pray for the organization of Skillet Fork River Drainage District with the boundaries proposed, and for the appointment of commissioners for said district for the execution of such work as may be feasible and necessary for the improvement of said stream and its tributaries under the provisions of this Act.

§ 5. There shall be filed with such petition an affidavit of one of the petitioners stating whether any of the landowners of said district are non-residents of the county or counties in which said district will lie; and if any of said landowners are non-residents of said county or counties said affidavit shall state the names and places of residence of such non-residents, if known, and if unknown stating that upon diligent inquiry their places of residence can not be ascertained.

§ 6. Upon the filing of said petition the clerk of said court shall enter the same upon the docket of said court and the judge of said court shall thereupon fix a time for the hearing of said petition, which may be at any time during that or the next term of said court. The said clerk shall then cause three weeks' notice of the presentation and filing of said petition to be given by posting notices thereof at the door of the courthouse of the county or counties in which the district is situated and in at least ten of the most public places in said district, and also by publishing a copy thereof for three successive weeks in some newspaper published in the county or counties in which said district will lie. Said notice

shall be addressed "to all persons interested" and shall state when and in what court said petition was filed, by whom filed, the name and boundaries of the proposed district, the prayer of said petition, and the time when and place where and before what court the petitioners will ask a hearing of said petition. If any of the landowners of said district are non-residents the said clerk shall send by mail a copy of said notice to each of said non-residents, whose residence is known, within three days after the first publication of the same. The certificate of the clerk or of the publisher of said newspaper, or the affidavit of any credible person, affixed to a copy of said notice, shall be sufficient evidence of the posting, mailing and publication of said notice.

§ 7. The County Court in which said petition shall be filed may hear the petition at any probate or common law term, and may determine all matters pertaining thereto, and may adjourn the hearing from time to time, or continue the same for want of sufficient notice, or other good cause. Upon application of the petitioners the court shall permit the petition, affidavit and other papers and orders in the case to be amended, and no petitioner shall be permitted to withdraw from said petition, except by the consent of the other petitioners thereon, or where it shall be shown to the satisfaction of the court that the signature of the petitioner was obtained by fraud or misrepresentation. And said court may hear all matters and make any orders pertaining to the organization of said district, or any of the business of said district, during any probate or common law term thereof.

§ 8. At the time fixed for the hearing of said petition any person owning or having any estate in any land in said district, and any municipal or other corporation that may be affected by the organization of said district, may file an answer to said petition and contest the necessity of the organization of the district or the location and boundary thereof, and the petitioners and contestants may offer any competent evidence in regard thereto. All persons not answering the petition by said time, or within such further time as the court may allow, shall be defaulted by the court and such default shall be conclusive that such persons consent to the organization of said district and have assented to and accepted the provisions of this Act. If it shall appear to the court that the boundaries of the district as proposed in the petition do not embrace all the lands that will be benefited by the improvement of said river, or that lands are embraced therein that will not be benefited and are not necessary to be included in said district for any purpose, the court may change said boundaries so as to include or exclude all such lands; but no such lands shall be included in said district without giving notice of the proposal to include such lands to the owners thereof for the time and in the manner provided in section six of this Act, and the court may continue the hearing as to the owners of such lands for the giving of said notice. And if it shall finally appear to the court, after hearing any and all competent evidence that may be offered for and against the petition and for and against the inclusion of other lands in the proposed district, that all or the major portion of the lands embraced in the boundaries of the proposed district, or said lands and other lands lying

outside said boundaries and contiguous thereto, are contiguous and that the water of said lands naturally flows or is drained into said Skillet Fork River and said land will be benefited for agricultural and sanitary purposes by improving the channel of said stream for a better outlet and more free flow of water or protection from overflow, the court shall so find; and such findings shall be conclusive of such facts and not subject to review on appeal or writ of error; and such findings shall be conclusive upon all the landowners of said district that they have assented to and accepted the provisions of this Act. If, after being sufficiently advised and informed in the premises, the court finds that Skillet Fork River Drainage District should be organized for the purpose of improving said river, it shall order and adjudge that the said Skillet Fork River Drainage District bounded as follows.....is duly established as provided by this Act, and said findings and judgment shall be entered at large upon the records of said court. Said judgment shall be final and shall not be questioned or attacked in any collateral proceeding, and every presumption shall be indulged in favor of the jurisdiction of the court and the validity of said judgment. If the court shall find against the petitioners the petition shall be dismissed at their cost. Separate or joint appeals and writs of error to review said judgment may be taken to the Supreme Court by the parties affected thereby. But no appeal from said judgment shall be heard unless the same shall be perfected within thirty days after the entry of said judgment, and no writ of error shall issue to review said judgment unless sued out within four months after the entry of said judgment and not then unless the plaintiff in error shall file in the Supreme Court with the application for such writ his affidavit stating that he was a non-resident of the county or counties in which the lands of said district lie at the time of the pendency of the proceedings for the organization of said district and did not receive any notice or otherwise learn of the pendency of said proceedings until after default had been entered against him and did not have an opportunity to appear in said court and move to set aside said default. The granting of an appeal or writ of error to one or more persons, or the reversal of said judgment upon such appeal or writ of error by such person or persons separately or jointly shall not impair nor invalidate the organization of said district as to all other persons not appealing or suing out such writs, nor shall such appeal or writ of error delay the work or proceedings so far as it affects the lands of such other persons. Nor shall it be a valid ground of objection on the part of any landowner upon said hearing, or upon an appeal from said judgment, that any owner of other land has not received sufficient notice of the said proceedings, or that the said judgment is invalid as to the said owner of other lands.

§ 9. Upon said findings and judgment being entered of record, said district is hereby declared by law to be organized as a river drainage district by the name and style of Skillet Fork River Drainage District, and with the boundaries fixed by said judgment. Said district is hereby declared to be a body politic and corporate, with the right to sue and be sued, to contract and be contracted with, to acquire and hold real and

personal property for corporate purposes, and to have perpetual succession, and may adopt and use a corporate seal and exercise all the powers in this Act conferred. And the commissioners appointed as provided in this Act and their successors in office shall constitute the corporate authorities of said district, and shall exercise the functions and powers conferred upon them by law, and may do and perform all such acts and things as may be necessary for the accomplishment of the purposes of this Act.

§ 10. On the first day of the probate term of said County Court next following the organization of said district as provided in this Act the said court shall appoint three commissioners for said district, one to serve one year, one two years and one three years from the date of appointment, and each year thereafter said court shall appoint one commissioner for said district who shall hold his office for three years and until his successor is chosen and qualified; but the said court shall appoint as commissioner only such persons as shall be petitioned for by a majority of the adult landowners owning lands in said district: *Provided*, if such petition is not filed in said court before the day such appointment is to be made said court shall appoint some suitable person as commissioner of such district without such petition.

§ 11. The court may, for good cause, at any time remove any commissioner appointed by it, and appoint another in his place, and may fill all vacancies caused by death, removal or otherwise.

§ 12. Before entering upon the duties of their office, such commissioners shall take and subscribe an oath to faithfully discharge the duties of their office, without favor or partiality, and to render account of their doings to the court by which they are appointed, at least once each year and oftener if required by order of the court, which oath shall be filed with clerk of said court within ten days after the appointment of such commissioners.

§ 13. The commissioners shall organize their body by electing one of their number chairman and one secretary. The secretary shall be the custodian of the books, papers and records of the commissioners and belonging to such district. He shall keep, in a well-bound book to be known as the drainage record and which shall at all times be open for inspection to parties interested, a record of all the proceedings of the commissioners and shall enter therein all the orders and resolutions of such commissioners pertaining to the business of such district. He shall make a brief memoranda in such record, of all their transactions concerning the district. If bonds have been issued, and sold; or contracts have been let on any section or division of work; or orders issued on the treasurer; or materials or tools purchased, or warrants for service of a commissioner issued; or sums paid, by order, for work done; all such proceedings and any other particular matter or transaction of such commissioners shall be carefully entered upon such record, and the dates, amounts, and proper descriptions of such doings shall at all times be observed in making such memoranda. Said commissioners shall also take and preserve proper vouchers for all orders given by them on the treasurer.

§ 14. The commissioners shall hold meetings on the first Tuesday of March and September, or oftener, if necessary, and shall hold all their meetings for the transaction of business at any place in the county or counties in which the district is located, and no business shall be transacted by them except at a meeting of which all the commissioners have had notice. A majority of the commissioners shall constitute a quorum, and the concurrence of a majority of their number in any matter within their duties shall be sufficient. They shall have the right to employ for such district all such attorneys, engineers, surveyors and other agents and servants as they may deem necessary to advise and assist them in the performance of their duties, but the compensation of all such employees shall be subject to the approval of the court in which the proceedings for the organization of the district are had.

§ 15. If any commissioner shall refuse or neglect to discharge any of the duties imposed upon him, by virtue of this Act, he shall, for every such refusal or neglect be liable to the party aggrieved, for all damages sustained by him, and upon conviction, may be fined in any sum not exceeding one hundred dollars (\$100.00), and be removed from his office.

§ 16. The commissioners shall not collect or receive any money for said district until they shall have given bond, payable to the People of the State of Illinois for the use of all persons interested, in a sum not less than twice the amount that may come into their hands or under their control during any one year, with such security as shall be approved by the judge of the court, conditioned for the faithful application of all moneys that may be received by them as such commissioners and to make due account thereof to the court whenever required by law or order of the court, which bond shall be filed in the court in which the proceedings are had. Such bond shall be renewed each year within ten days after the appointment of such commissioners or either of them.

§ 17. The commissioners shall, as often as once in each year after their appointment, and as much oftener as the court shall require, make a report to the court, showing the amount of money by them collected and the manner in which the same has been expended; and upon the filing of such report, the court shall set a time, not exceeding three weeks from such filing, when such report shall be heard; and the commissioners shall give at least ten days' notice thereof by posting written or printed notices, in not less than four of the most public places in the district, and one at the door of the court house of the county in which said district shall be organized. Upon the time fixed the court shall hear said report and all objections thereto, or may continue such hearing to another time fixed; and upon hearing such report, may require evidence, to be produced by the commissioners, in support thereof, and if found correct, may approve such report. Upon the failure of the commissioners or either of them, to make such report, to the satisfaction of the court, as required by this section, such commissioner or commissioners upon the application of any person interested, or the court without such application, shall remove such commissioner or commissioners from office.

§ 18. The commissioners shall receive for their services the sum of five dollars per day for each day they shall be actually engaged in the business of their office, and shall receive no other compensation for expenses or otherwise. If any commissioner shall be engaged in the business of his office less than four hours in any day, he shall only receive one-half of his per diem allowance for such fraction of a day. The commissioners shall present an itemized account, under oath, to said court, of the amounts due them respectively, which amounts shall show in detail the days and fractions of days they were engaged in the business of their office and on what business they were so engaged each day, which amounts shall be audited at least once a year by the court and certified to the treasurer of said district for payment on said certificate. But such itemized accounts shall be subject to the approval of the court as provided by section seventeen of this Act.

§ 19. The commissioners, before any money is received by them, shall appoint a treasurer for said district, who shall not be one of their number, who shall execute a bond to the People of the State of Illinois for the use of all persons interested, in a sum of not less than twice the amount of assessments that may be in his hands during his term of office, with such sureties as may be approved of by the judge of said court, conditioned for the faithful performance of his duties as treasurer of Skillet Fork Drainage District, and that he will safely and faithfully account for all money that, by virtue of his said office, shall come to his hands. Which said bond when approved by the court shall be kept and preserved by said commissioners, and suits may be maintained upon the same by them upon any breach of its conditions.

§ 20. The commissioners shall pay out no money except by an order on the treasurer of the district and signed by two of their number, and they shall keep a record of all such orders showing the amount of each and to whom and for what purpose issued.

§ 21. It shall be the duty of the treasurer to keep proper books to be furnished him by the commissioners, in which he shall keep an accurate account of all moneys received by him, and of all disbursements of the same; he shall pay out no money, except upon the order of a majority of the commissioners, and shall carefully preserve on file all orders for the payment of money given him by the commissioners, and shall turn over all books, papers, vouchers, moneys, and other property belonging to said district and in his hands, as such treasurer, to his successor in office. His term of office shall be two years, but he may be at any time removed by the court upon petition of a majority of the commissioners or for good cause shown. He shall receive, as compensation for his services, a sum fixed by the commissioners before his appointment. If any bank or other institution in which he deposits or keeps any money of the district pays him commission or interest on such money, such commission or interest shall belong to the district and become a part of its corporate funds.

§ 22. The commissioners may borrow money on the credit of the district for the purpose of paying the necessary expenses of making the surveys, profiles, plat, plans and specifications for any work of the dis-

trict which the commissioners are required by this Act to plan, locate and report to the court, and the expenses preliminary to the making of such report and the hearing thereon, and may secure the same by notes or bonds of the district bearing interest at the rate of not exceeding six per cent per annum, and not running beyond two years, and such money so borrowed shall constitute a lawful debt against said district and shall be paid, with such interest, out of the assessments, when collected, or the proceeds of the sale of bonds, hereinafter in this Act provided for: *Provided*, the court, on the petition of the commissioners, shall make and enter of record an order fixing the amount they may borrow, the rate of interest to be paid and the time such notes or bonds shall run.

§ 23. Immediately after their appointment and qualification, the commissioners appointed for said district shall go upon the territory of said district and examine the lands therein and the channels of said Skillet Fork River and the bayous, lagoons and other streams tributary thereto and determine upon and locate, design, lay out and plan such work as, in their judgment, is necessary for the improvement of the channel of said river or any of its said tributaries, for a better outlet and more free flow of the water, or protection from overflow, of said lands, for agricultural and sanitary purposes, having in view the future contingencies as well as the present, and may provide for straightening, deepening or enlarging said channel, or any part thereof, or any tributary thereof, or for constructing embankments to turn water into or confine water in said river, or any tributary thereof, or any channel constructed to straighten, change or improve the same, and for removing from said river, or its banks, rocks, shoals, bars, drifts, drift material, trees, and other obstructions to the flow of water, and for any other work they shall deem necessary for the improvement of the channel of said river, or any tributary thereof, for the purposes aforesaid. The commissioners shall have proper surveys, profiles, plans and specifications of such work made, and a plat of the district showing with reasonable certainty the location of all such work, and shall report their conclusions and a copy of said surveys, profiles, plans and specifications and plat, and an estimate of the cost of such work, to the court which appointed them. Said estimate shall include the cost and expenses of planning and laying out such work and constructing the same, the cost of procuring right of way therefor and of building and [any] bridges that may be made necessary by the construction of such work, and of all lawful expenses incident thereto.

§ 24. Upon the filing of said report the clerk of said court shall enter the same upon the docket of the court and the court shall thereupon fix a time for the hearing of said report. The clerk shall cause three weeks' notice of the time and place when and where the hearing of said report will be, as provided in section six of this Act. At the time of the hearing all persons interested may appear and contest the confirmation of said report, or show that additional or other work should be constructed, or that the report ought to be modified in any particular, and may offer any competent evidence in support thereof; and the said report

of said commissioners shall be *prima facie* evidence of the facts therein set forth.

§ 25. If upon the hearing the court shall be of the opinion that the objections are not well taken, or if no objection shall be made, it shall order the confirmation thereof. If it shall appear that additional work and outlets, not named in the report, are necessary, or that the report ought to be modified in any particular, and the court shall be sufficiently informed in the premises, it shall modify the same to conform to the equities in the premises; or if not sufficiently informed, it shall order the commissioners to review and correct their report, and may make specific directions in what respect they shall reform their report; and the court may make all necessary orders in the premises, either for the continuance of the hearing or other lawful purposes.

If the report be referred back to the commissioners for amendment, the court shall fix a day when the commissioners shall again present their report, in which case the hearing shall stand adjourned to that day, and no further notices shall be required thereof.

§ 26. If, after hearing all objections that may be filed to said report and all competent evidence that may be offered for and against the report, the court shall find that the work proposed in said report as made or as modified, if the same is ordered modified, is feasible and necessary for the purpose of improving the channel of said river or its tributaries, for a better outlet and more free flow of the water or protection from overflow of said lands for agricultural and sanitary purposes, the court shall so find and shall approve and confirm said report and order said commissioners to have said work constructed as provided by this Act. Said findings and order shall be entered at large upon the records of the court and shall be final and conclusive upon all persons affected thereby. Upon said order being entered the clerk of the court shall record said report, surveys, plans and specifications and plat, as approved, and confirmed by the court, in the record of the proceedings of the district.

§ 27. After the order provided for in the foregoing section shall have been entered of record, the commissioners shall proceed to acquire the right of way and releases of damages for the construction of the proposed work, by agreement with the landowners so far as they may be able to agree with said landowners; and to make out the assessment roll in which shall be set down in proper columns the names of the owners when known, a description of the premises affected, in words or figures, or both, as shall be most convenient, the number of acres in each tract, and, if benefits are assessed against the same, the amount of benefits assessed against each tract; they shall also include therein all railroads, public highways and municipal corporations to be affected by the proposed work, and the amount of benefits assessed against the track and right of way of said railways and public highways and roads, and the streets and alleys of such municipal corporations, all of which shall be known as the "commissioners' roll of assessments of benefits."

§ 28. With said assessment roll shall be filed a description of any and all pieces of property needed for right of way for said work and

which the commissioners have been unable to acquire by agreement with the owners thereof, with the name, if known and if unknown so stating, of the owner of each piece of property so required for right of way, and the damages to be paid for such pieces of property shall be ascertained by the jury provided for in section twenty-nine of this Act.

§ 29. Upon the filing of the "commissioners' roll of assessments of benefits," with the clerk of the court, the clerk shall give two weeks' notice in the manner provided by section six (6) of this Act, of the time and place when and where the commissioners will appear before the same court in which the petition was filed for the purpose of having a jury impaneled in accordance with the provisions of section six (6) of an Act entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and for the hearing before said jury, upon all questions of benefits and damages, to any of the land in said district.

Upon the hearing, the commissioners and all persons interested in the lands to be affected, shall have the same right of challenge of jurors as in other civil cases in the county courts of this State. When said jury is selected they shall be sworn to faithfully and impartially perform the duties required of them, to the best of their understanding and judgment, and to make their assessments of benefits or of damages, or damages and benefits as the case may be, according to law; and thereupon said commissioners, on behalf of said district, shall present and file as their claim against the several municipal and other corporations, landowners and tracts of land, the assessment roll provided for in section twenty-seven (27) of this Act, which shall make out a *prima facie* case for the commissioners, and all parties to said proceedings shall be permitted to present to said jury their case in person or by counsel, and offer any competent evidence as to the amount of benefits which any land, track and right of way of any railway, road, public highway, and streets and alleys of any municipal corporation in said district will receive by reason of said proposed work, or as to the damages to land taken or damaged thereby over which the right of way has not been obtained, and after such evidence shall be presented and argument of counsel heard, the court shall instruct them as to the law and form of their verdict. The court may cause to be prepared and submitted to said jury a form of their said verdict, including the names of the owners and descriptions of the tracts of land to be affected, including the railroads, public highways and streets and alleys of municipal corporations, with blanks for the said jury to fill with the amounts of benefits and damages as they shall find, and when completed the same may be placed in form by the court in the presence of said jury, or the said jury may be recalled at any time after being discharged to correct any errors or omissions therein.

The court shall continue said cause to a day certain for the report of the verdict of said jury, and if said jury are not ready to file their verdict on the day fixed, said cause may be continued from time to time until they have completed their verdict and have returned the same to

the court, and all persons interested shall take notice of the time of filing and making said report by the jury.

§ 30. And thereupon said jury shall proceed to elect a foreman and a clerk from said jury, and in charge of such foreman shall proceed to examine the lands, railroads, streets, alley and public highways to be affected by the proposed work, and ascertain, to the best of their ability and judgment, the benefits which will accrue to the lands, railroads, streets, alleys and public highways, to be affected by the said proposed work, and the damages to the lands taken or damaged thereby, over which the right of way for the construction of the said proposed work has not been obtained, and said jury shall make out their verdict in which shall be set down in proper columns the names of the owners, when known, a description of the premises to be affected, in words or figures, or both, as shall be most convenient, the number of acres in each tract and the amount of benefits assessed, if any, and the amount of damages allowed, if any, against each tract, railroad, public highway, or municipal corporation; and in finding such verdict they shall take into consideration their view of the premises as evidence and consider it with the other testimony offered in the case and allowed by the court, which verdict when so completed, shall produce no more than the total sum of the estimated cost of the proposed work and the proceedings incident to the same, and the amount of damages allowed, and said verdict shall then be signed by the jury and filed in the court, and shall be taken and held to be the verdict of the jury upon all questions of benefits and damages, arising in the proceedings; and thereupon the court shall confirm said verdict and enter up judgment upon said verdict, and cause the same to be spread upon the records and such judgment and verdict shall be a lien upon such lands after said judgment, until paid. Appeals and writs of error shall be allowed therefrom upon the same conditions as provided in section eight of this Act: *Provided*, that the granting of an appeal in any one or more cases, of one or more persons shall not operate to defer the collection of the judgment in other cases, but the collection in other cases shall proceed as if no appeal had been taken. When said appeals are decided, if the judgment of said county court shall be affirmed, or upon said case being remanded for a new trial, if judgment shall be in favor of said district, the county court shall order the judgment so rendered to be made a part of said judgment not appealed from, and the same shall be collected as if no appeal had been taken.

§ 31. In making such assessment, the jury shall award and assess the damages and benefits in favor of and against each tract separately, in the proportion in which such tract of land will be damaged or benefited, and in no case shall any tract of land be assessed for benefits in a greater amount than its proportionate share of the estimated cost of the work and expenses of the proceeding, nor in a greater amount than it will be benefited by the proposed work, according to the best judgment of the jury, and when directed, by the commissioners, or the court impaneling a jury for making any additional assessment of damages and benefits, or benefits, or for the purpose of making assessments in favor

of, or against any one or more tracts, as the case may be, in said district, such jury may consider any prior assessment or assessments, against any lands, which are void and unpaid, by reason of some omission, clerical error, mistake, or for want of proper notices to the owner thereof, or on account of other irregularity of proceedings not affecting the merits of such prior assessments, and may include the same or any part thereof with such other assessments.

§ 32. At the time of confirming such assessments it shall be competent for the court to order the assessment of benefits to be paid in installments of such amounts, and at such times, as will be convenient for the accomplishment of the work or payment of bonds that may be issued; otherwise otherwise the whole amount of such assessment shall be payable immediately upon such confirmation. The assessments or installments thereof shall draw interest at the rate of six per cent per annum payable, annually from the time of confirmation until paid; but if any owner elects, he may pay the whole amount of the assessments, and interest, if any, accrued against his land, before it becomes due: *Provided*, such payment is made before any bonds are issued by the district. Said assessments, and each installment thereof and the interest thereon, shall be a lien upon the lands and property assessed as other taxes, and such lien shall continue until said assessments, installments and interest are paid; and the proceedings of the County Court of the county in which said lands are situated, shall be sufficient notice of such lien. When an assessment against any tract of land has been fully paid, it shall be the duty of the treasurer of such district to execute and deliver to the owner of such land a release in full, which shall discharge such owner from all further liability to pay the same. The release may be recorded in the recorder's office of the county where such lands are situated.

§ 33. Immediately after the entry of such confirmation by the court, the clerk shall make out and certify to the commissioners a copy of such assessment roll, and shall also make out and deliver to the commissioners separate copies of such parts thereof, pertaining to the lands situated in other counties, which shall be recorded in the recorder's office of the respective counties in which the lands are situated, and shall be notice of the lien thereof to all persons.

§ 34. In case the assessments for benefits shall be payable in installments, such installments shall draw interest at six per cent per annum, payable annually, from the time of the confirmation of the assessment roll until they are paid, and such interest may be collected and enforced as part of the assessment: *Provided*, that where no bonds or interest-bearing obligations, at the time of such collection of interest, shall have been issued, or are outstanding against such installments of assessment upon which said interest shall be collected, the commissioners may, under the direction of the court, use the money, so collected as interest, for the construction or maintenance of any other work or any necessary expenses of said district or any indebtedness of said district.

§ 35. The commissioners, upon receiving such certified copy of such assessment roll, shall immediately cause a notice to be published for three weeks, in the manner required in section six of this Act in substance as follows:

Notice is hereby given to all persons interested, that an assessment (or installment of the assessment, as the case may be) is now due for drainage purposes for the year A. D. 19...., upon the lands lying within Skillet Fork River Drainage District, and the same must be paid totreasurer of said district, at his office inon or before the.....day of19....; and in default of such payment, the several tracts of land upon which said assessments (or installment, as the case may be,) remains unpaid, will be sold according to law, to pay the amount of such assessment, (or installment) and costs.

Dated this.....day of.....19....

.....

Commissioners.

In case the assessments made are ordered by the court to be paid in installments, said commissioners shall give a like notice, as near as may be, of any installment or installments immediately after such installment or installments become due and payable, which notice shall be a sufficient demand for any assessment or installment that may be due.

§ 36. If the assessment or any installment or installments thereof, or annual amounts of benefits, due upon said lands, shall not be paid on or before the day named in the notice given in section thirty-five (35), of this Act, it shall be the duty of said treasurer, to make out a certified list of such delinquent lands upon which the assessment, or any installment or annual amount of benefits remains unpaid, and the same shall be by him, on or before the tenth day of April next after the same have become payable, returned to the county collector of the county or counties in which said lands shall lie; and when the same shall lie in different counties, a separate return shall be made for each county of the delinquent lands therein; and it shall be the duty of the county collector to whom any such returns have been made, to transfer such returns to the tax books in his hands, setting down therein in proper order the several tracts of the real estate, town lots and blocks so returned, and setting opposite to the respective tracts of real estate, lots and blocks, in proper columns prepared for that purpose, the amount of assessments or installments or annual amount of benefits against each tract of real estate, lots and blocks, and the like proceedings shall be had and with the like force and effect in the collection of such delinquent assessment or assessments, or installment or annual amount of benefits unpaid, with interest, and the sale of said real estate, lots, blocks and lands for non-payment thereof, as in ordinary collections of State and county taxes by county collectors, and of sale of real estate by them for such non-payment and of redemption from such sales.

§ 37. This Act shall be liberally construed to promote the reclamation of the wet or overflowed lands to be included in said district; and collection of assessments shall not be defeated by reason of any omis-

sion, imperfection or defect in the organization of the district, or in any proceedings occurring prior to the judgment of the court, confirming the assessments of benefits and damages; but said judgment shall be conclusive that all prior proceedings were regular and according to law.

§ 38. Notwithstanding the returns of such delinquent list, the treasurer of the district shall be authorized to receive payment of any such delinquent assessments and costs, and may give receipts for the same, but shall keep a memorandum of the same, and on or before the day of sale fixed by said county collector for the sale of such lands, shall present said memorandum or list to said county collector or collectors, for the purpose of having the same checked or marked paid on the delinquent list in his hands, and all amounts collected by the said county collector, by sales or otherwise, after deduction of his fees, shall be paid to the commissioners on demand.

§ 39. The commissioners, when qualified in pursuance of this Act, may do any and all acts that may be necessary in and about planning, surveying, laying, constructing, repairing, altering, enlarging, cleaning, protecting and maintaining any work of said district, including clearing out and removing of obstruction from natural or artificial channels or streams beyond the limits of the district, and to effectually carry out the purposes for which said district was organized, and may use any money of the district arising from assessments for that purpose: *Provided*, that in all cases where the work to be done is the construction of the principal work, the cost of which will exceed five hundred dollars, the same shall be let to the lowest responsible bidder, and the said commissioners shall advertise for sealed bids by notice published in some newspaper published in the county in which the petition is filed, which said notice shall particularly set out the time and place, when and where, the sealed bids will be opened, the kind of work to be let, and the terms of payment. Said commissioners may continue the letting from time to time, if in their judgment the same shall be necessary, and may reserve the right to reject any and all bids. And said commissioners shall not, during their term of office, be interested directly or indirectly in any contract for the construction of any work in said district, nor in the wages of or supplies to men or teams employed on any such work in said district.

§ 40. The commissioners may use money arising from the collection of assessments for the purpose of compromising suits and controversies arising under this Act, and in the employment of all necessary agents and attorneys, and for conducting any proceedings in law or in equity for said district, and for the purpose of planning, laying out, constructing, repairing or maintaining any work of the district, within or without said district, and for procuring right of way for such work, building bridges made necessary by such work, and for any other lawful purpose connected with or growing out of the work of the district: *Provided*, that the commissioners shall use such money under the direction or approval of the court. And assessments from time to time may be levied on the land within said district when it shall appear to the court that the previous assessment or assessments have been expended, or are inade-

quate to complete such work, or are necessary for maintenance or repair, or when it shall become necessary for the construction of additional work, or the completion of any work already commenced under the direction and order of the court, or to pay obligations incurred for the current expenses of said district, or in the keeping in repair and protection of the work of such district, on a petition of a majority of the landowners within said district who are of lawful age and represent at least one-third in area of such lands, or on the petition of the commissioners, accompanied by an itemized statement of accounts made by the commissioners under oath, showing the moneys received by the district and the manner in which they have been expended, together with the plans, specifications and profiles of such additional work and estimated cost of the same; two weeks' previous notice of the time set for the hearing of said petition, in the manner required by section six (6) of this Act, having been given. Upon the hearing of such petition the court may grant the prayer of the same, and cause the jury to be impaneled to make said assessment with like proceedings and notice as near as may be as in cases of original assessments of damages and benefits under this Act, and such additional assessment or assessments, when made, shall have the same force and effect and be collected in the same manner as original assessments.

§ 41. The commissioners may borrow money not exceeding ninety per cent. of the amount of assessments unpaid at the time of borrowing, for the construction of any work which they shall be authorized to construct, or for the payment of any indebtedness they may have lawfully incurred under the provisions of this Act, and may secure the same by bonds of the district, bearing interest at the rate of not exceeding six per cent. per annum, and not running beyond one year after the last assessment or installment of assessment on account of which the money is borrowed shall fall due, which notes or bonds shall not be held to make the commissioners personally liable for money borrowed, but shall constitute a lien upon the assessments for repayment of the principal and interest thereof; or such bonds may be issued to the amount of ninety per cent of any one installment, and constitute a lien upon such installment alone, falling due within one year after such installment becomes due, such installment to be particularly designated in such bonds: *Provided*, where the payment of any installment or installments of any assessment has been deferred in pursuance of section thirty-two of this Act, and the court shall find on the petition of the commissioners that it will be for the interests of the district that money should be borrowed to an amount exceeding ninety per cent. of such installment or installments, the court on due hearing may, by order entered of record, authorize the borrowing of money to such an amount in excess of ninety per cent of such installment or installments as the court may find to be advisable. The court shall have the power to make all needful orders to carry into effect the provisions of this Act, and no irregularity in the proceedings, either before or after the organization of the district or in the assessment of benefits, or in the extension of time for the payment

of the same, shall in any manner affect the validity of the bonds or coupons issued in pursuance of this Act.

§ 42. All damages over and above benefits to any tract of land, shall be payable out of the amount assessed against other lands assessed for benefits, and shall be paid or tendered to the owner thereof before the commissioners shall be authorized to enter upon his land for the construction of any work thereon. In case the owner is unknown, or there shall be a contest in regard to the ownership of the land, or the commissioners cannot, for any reason, safely pay the same to the owner, they may deposit the same with the clerk of the court, and the court may order the payment thereof to such party as shall appear to be entitled to the same. The damages assessed under this Act, in favor of any tract or tracts of land in such district, shall be in full compensation to the owners thereof, their heirs or assigns, for the perpetual right of way, as located by the commissioners over such lands, of any work, including the right of the commissioners, their employees or contractors, with teams, tools or machinery, to enter upon such lands and construct such work, and, if necessary, to repair or enlarge the same; and any person who shall wilfully prohibit or prevent any of the aforesaid persons from entering such lands for the purpose aforesaid, shall be fined in a sum not to exceed twenty-five dollars (\$25.00) per day, for such hindrance, to be collected as other fines.

§ 43. When the commissioners of said district shall be of opinion that it would be for the best interest of the district that a change, or changes, should be made in the method of construction of any part of the proposed work of said district, or in the location, size, capacity or plan of any of such proposed work, or that any part of such work should be abandoned, the said commissioners shall file their petition in the court in which said district was organized, which petition shall set forth the nature of the proposed change or changes in plans, together with an estimate of the additional or decreased expense of such change or changes, and which shall be signed and sworn to by such commissioners, or a majority of them, and to which petition shall be attached the affidavit of some credible person, giving the names and post office addresses of all owners of lands in said district, not residents of said county or counties. Upon such petition being filed, the court shall set the same for hearing, at some day not less than two weeks or more than four weeks from the filing thereof and the clerk of said court shall proceed to give two weeks' notice of such hearing, in the manner provided in section six (6) of this Act. Upon the hearing thereof, if the court shall find that the said proposed change, or changes does, or do, not materially effect the general nature and character of the proposed work of said district, and does, or do, not decrease the general efficiency of the same, the court shall enter an order to that effect; and shall, at the same time make a finding as to the additional amount that will be required to make such change or changes, or the decreased amount that will be required if such change or changes be made. In case the court shall find that such change or changes should be made and that additional expenditures will be required to make such change or changes, the court may order the same paid from

the general funds of said district, or may order the commissioners to return a roll of additional assessments of benefits against the lands of said district for the additional amount required. In case the court shall order an additional assessment of benefits, or an assessment of benefits and damages, the commissioners and court shall thereafter proceed in the return and confirmation of the same in conformity with the provisions of section[s] 27, 29, 30 and 31 of this Act. In case the court shall find that the making of such change or changes will decrease the expense of the proposed work of said district, the court shall enter an order abating such proportion of the assessment of benefits as shall have been theretofore made in such uniform proportion as such change or changes shall render unnecessary to be expended. The court may, for good cause shown, continue the hearing on such petition from time to time, and any person interested may appear and resist the application for such proposed change or changes. The court may, on the hearing of said petition, make such other or further order* in the premises as the circumstances may require in order to do justice to the petitioners and the landowners and persons in said district.

§ 44. The commissioners from the time of their appointment may go upon the lands lying within said district for the purpose of examining the same, and making plans, plats and surveys, and for any other purpose in connection with the work of the district, and after the payment or tender of compensation allowed, may go upon said lands, with their servants, teams, tools, instruments or other equipments, for the purpose of constructing such work, and may forever thereafter enter upon said lands as aforesaid, for the purpose of maintaining or repairing such work, doing no more damage than the necessity of the occasion may require; and any person or persons, who shall wilfully prevent or prohibit any of such persons from entering such lands for the purpose aforesaid, shall be fined any sums not exceeding twenty-five (\$25) dollars per day for each day's hindrance, to be recovered in an action of debt in favor of said district before any justice of the peace, or court of competent jurisdiction, which sum shall be paid into the treasury for the use of said district.

§ 45. Whenever it shall become necessary to construct additional work in said district, or to repair, enlarge, raise, strengthen or protect any work of said district already constructed or in process of construction, the commissioners and their agents, servants and employees may enter upon and take possession of such lands as may be necessary to construct such additional work, or repair, enlarge, raise, strengthen or protect any work already constructed or in process of construction, paying, if the owners of such lands and said commissioners can agree, the value of such lands taken and the amount of damages occasioned thereby to any such land or its appurtenances, and if such owners and commissioners cannot agree then the value of such land and the damages occasioned thereto may be ascertained, determined and paid in the manner that may now or hereafter be provided by any law of eminent domain.

§ 46. When an assessment has been made as provided in the preceding sections, it shall be the duty of the commissioners to provide

suitable books, with proper headings and columns, in which shall be inserted, according to township and range, the several tracts of lands against which assessments are to be carried out, the names of the owners, if known, the number of acres to be assessed, the total amounts of assessments, and for what year, and a column for payments, and if any assessments shall remain due and unpaid after the time mentioned in the notices to be given as provided in this Act, it shall be the duty of said treasurer, to make a list of the lands upon which such assessment has not been paid, and deliver such list or lists to the county collector of each county in which such lands may respectively lie, to be by him collected as heretofore provided.

§ 47. When any work of the district organized under this Act drains or protects from overflow or proposes to drain or protect from overflow, either in whole or in part, any public or corporate road or railroad, or the streets and alleys of any municipal corporation, so as to benefit any such roads, streets and alleys, or other property of such corporate road or railroad or municipal corporation, so that the roadbed or traveled track or other property of such public or corporate road, railroad or municipal corporation will be improved by the construction of such work, the commissioners shall apportion to the township, if a public road, to the company, if a corporate road or railroad, or to the municipal corporation in the case of streets and alleys, such proportion of the cost and expenses thereof as to private individuals, and shall include such apportionment in said "commissioners' roll of assessments and benefits," and give to the corporate authorities so benefited, or, in case they are damaged, to the said corporate authorities so damaged, or benefited and damaged, as the case may be, the same notice and at the same time as shall be given to private individuals; and the matter of the amount of such assessments of benefits and damages is not agreed upon, shall be submitted to a trial by the same jury in the same manner as the benefits and damages to accrue to private individuals; and the said jury shall view and examine such property, road, railroad, streets and alleys, and shall proceed to assess the damages and benefits in like manner as to the lands of individuals, and no other or different notice shall be required to be given: *Provided*, that when the commissioners and corporate authorities of the township road, corporate road, or railroad, or municipal corporation, or any of them, agree as to the amount that they or any of them should contribute, the amount so agreed on shall be reported to the said jury when they meet to correct their assessment roll, and the amount so agreed upon shall be incorporated into said assessment roll when amended by said jury or commissioners. In case such assessment is made against any township in this State the commissioners of highways of such town shall cause the same to be levied and paid to the said district in such manner as may now or hereafter be provided by law.

§ 48. The commissioners of the district organized under this Act shall have the right to remove any bridge or culvert along or across any public highway for the purpose of constructing any work of the district, and shall construct suitable bridges over any ditch or channel constructed by said district across any public highway and the cost of constructing,

removing and replacing said bridges shall be included as a part of the cost of the construction of the work of said district.

§ 49. When any ditch or drain or other work of said district, enlarging any channel or water-course, is located by the commissioners on the line of any natural depression or water-course, crossing the road of any railroad company where no bridge or culvert or opening of sufficient capacity to allow the natural flow of water of such ditch or water-course is constructed, it shall be the duty of the commissioners to give notice to such railroad company to construct or enlarge such bridge or culvert or opening in the grade of such road, for such ditch or ditches or other work, of the dimensions named in such notice, within thirty days from the service thereof; and any railroad company neglecting, failing, or refusing so to do shall be liable to said district in the sum of twenty-five (\$25) dollars for each day said company shall have neglected or refused to construct such work, after the time fixed in such notice for constructing the same shall have expired, which damages or penalty may be recovered before a justice of the peace, if within his jurisdiction, or before any court of competent jurisdiction.

§ 50. Any land lying outside the boundaries of the district organized under this Act, the owner or owners of which shall, after its organization, make connection with any ditch or channel or other work of said district, or with any ditch or drain connected with any such work, or whose lands are or will be benefited by the work of said district shall be deemed to have made voluntary application to be included in said district; and thereupon the commissioners shall make complaint in writing, setting forth a description of such land or lands, benefited, and amount of benefits, the name of the owner or owners thereof, also, a description of the drain or ditch making connection with the ditches or other work of said district, as near as may be, and file said complaint in the court in which said district is organized. The court shall fix a day, not less than fifteen days from such filing, when it will hear such complaint, and thereupon the commissioners shall give ten days' notice thereof in writing; said notice shall embrace a copy of such complaint, and service thereof shall be by reading or delivering a copy thereof to such owner or owners, or by either publishing a copy of said petition or posting copies thereof within the territory sought to be annexed in the same manner as provided by section six of said Act; and an affidavit of such service shall be evidence thereof. At the time fixed, or at a time continued from such time fixed, the court shall hear said cause, and if judgment is given in favor of said district, a record of such judgment giving a description of such lands annexed shall be made, and such lands described in the complaint in either case, shall be deemed a part of said district and shall be assessed as other lands therein. The assessments of benefits against such lands so added to said district, may be made at any time the commissioners may deem proper; and the assessment roll thereof shall be filed and recorded and proceedings thereon had as in other cases; or such lands may be assessed when all lands throughout the district are assessed.

§ 51. Whenever it shall appear to the court that any of the proceedings for the organization of said district, or any assessment of benefits under this Act, is invalid as to one or more tracts of land jointly or severally owned, situated in said district, or that any tract of land has been omitted from such assessment by reason of clerical error or other mistake, or want of proper notice required by this Act, such want of notice shall not invalidate said organization, neither shall such assessment of benefits be lost to the district; but the commissioners of said district may file a petition against the owner or owners, his heirs or assigns, of such lands irregularly assessed or omitted in said court, describing in such petition the boundaries and name of the district, the land owned by the defendants, the amount of benefits assessed against such lands, reciting such irregularity of notice and omissions, and praying the defects and omissions may be cured, and such assessments be made valid, and that the lands omitted, if any, may be assessed or made a part of the district, as the case may be.

§ 52. Upon the filing of such petition, summons shall be issued thereon made returnable to said court, and served ten days before the next succeeding term thereof, in the manner now provided by law for issuing and service of summons in chancery cases; and in case the defendants, or either of them are non-residents of this State like proceedings and practice shall be had and notice by publication shall be given as provided by law in chancery cases. And every defendant notified as required by this Act shall by his answer show cause why the prayer of the petition should not be granted; and in default of such answer the court shall give judgment according to the prayer of the petition. In case the defendants appear and answer the court, on the trial of the cause, shall hear oral or written evidence, and give judgment therein as in cases of equity, and may grant the prayer of such petition: *Provided*, in case the petition asks to make valid an assessment of benefits, or to make assessments against lands omitted, the defendant, if he demands it, shall be entitled to a jury, and the [jury] shall be sworn and shall proceed in the manner provided by this Act, as near as may be, for making assessments and make a special assessment roll as to the lands named in the petition and return the same in said court, and such further proceedings and confirmation shall be had therein as provided in this Act in cases of other assessments; and the defendants may appeal from the judgment of the court upon the same condition provided by this Act for appeals from judgment in other cases of assessment of benefits.

§ 53. Each bond issued as provided for by this Act shall be attested by the clerk of the court in which the district is organized and said clerk shall also make a certified statement thereon, affixing his seal of office thereto, of the total amount of assessments and rate of interest it bears pledged for the payment of said bond and other bonds, if any issued; the date, number, denomination and the time due of all bonds issued which are a lien upon the assessments or installments of assessments of the district; when the assessments were confirmed by the court, and the number of acres of land in the district against which said assessments were made.

§ 54. Any person who shall wrongfully and purposely cut, injure, destroy, or in any manner impair the usefulness of any work constructed under the provisions of this Act may be fined in any sum, not exceeding two hundred dollars, to be recovered in any court of competent jurisdiction, and all fines when collected shall be paid to the commissioners of said district to be used for the work so injured.

§ 55. The said Skillet Fork River Drainage District shall not remove, destroy, appropriate or use any drain, ditch or other work of any drainage district organized under any law of this State without paying to such drainage district just compensation therefor. In case the commissioners of said Skillet Fork River Drainage District and the corporate authorities of any such drainage district shall be unable to agree upon the compensation to be paid to such drainage district, the same may be ascertained and enforced by any proper proceeding in any court of competent jurisdiction. Upon payment of such compensation being made, said Skillet Fork River Drainage District shall have the right to appropriate and use such ditches, drains or other work, or any part thereof, as it may desire, and being within its boundaries, for or in connection with any improvements authorized by this Act, and for or in connection with the purposes for which said Skillet Fork River Drainage District is organized: *Provided*, no such drain, ditch or work, shall be destroyed or removed or so used as to impair its usefulness for the purpose for which the same was constructed, without the consent of the corporate authorities of such drainage district.

§ 56. The said Skillet Fork River Drainage District shall have the power to acquire by purchase, condemnation, or otherwise, any and all real and personal property, right-of-ways and privileges, either within or without its corporate limits, required for its corporate purposes, and when such property is no longer required for such purposes, to sell, convey or otherwise dispose of the same, such condemnation to be had under the eminent domain laws of this State.

§ 57. No bonds issued or sold by said district under the provisions of this Act shall be issued or sold for less than their par value and accrued interest at the time of delivery. All bonds issued or sold shall be registered by the secretary of the commissioners in a well bound book before delivery. Such registration shall show the date and amount of each bond, the maturity thereof, the rate of interest it draws, when the interest is payable and to whom delivered. When bonds are paid they shall be cancelled by the treasurer of the district and the date of cancellation shall be entered on said register by said secretary.

§ 58. The voluntary payment by the owner, or his authorized agent, of any assessment on installment against any tract of land or other property, or of the interest on such assessment or installment, shall be deemed and held in law to be conclusive that such owner has accepted all the provisions of this Act, and assented to the organization of said district and to the confirmation of the assessment of benefits made under the provisions of this Act.

§ 59. WHEREAS, an emergency exists, this Act shall be in force from and after its passage.

APPROVED, April 11, 1917.

SKILLET FORK RIVER DRAINAGE DISTRICT.

§ 1. Amends sections 8 and 23 of Act of 1917.

§ 8. Provides for the contesting of petitions to organize drainage districts and location of the boundaries thereof.

§ 23. Provides for the examination of land located in the Skillet Fork River District, etc.

§ 59. Emergency.

(HOUSE BILL NO. 290. APPROVED JUNE 25, 1917.)

AN ACT to amend sections 8 and 23 of an Act to provide for the organization of Skillet Fork River Drainage District and for the improvement of the channel of Skillet Fork River and its tributaries by special assessments on the property benefited thereby," approved and in force April 12, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly; That, sections 8 and 23 of an Act entitled, "An Act to provide for the organization of Skillet Fork River Drainage District and for the improvement of the channel of Skillet Fork River and its tributaries by special assessments on the property benefited thereby," approved and in force April 12, 1917, be amended to read as follows:*

§ 8. At the time fixed for the hearing of said petition any person owning or having any estate in any land in said district, and any municipal or other corporation that may be affected by the organization of said district, may file an answer to said petition and contest the necessity of the organization of the district or the location and boundary thereof, and the petitioners and contestants may offer any competent evidence in regard thereto. All persons not answering the petition by said time, or within such further time as the court may allow, shall be defaulted by the court and such default shall be conclusive that such persons consent to the organization of said district and have assented to and accepted the provisions of this Act. If it shall appear to the court that the boundaries of the district as proposed in the petition do not embrace all the lands that will be benefited by the improvement of said river, or that lands are embraced therein that will not be benefited and are not necessary to be included in said district for any purpose, the court may change said boundaries so as to include or exclude all such lands; but no such lands shall be included in said district without giving notice of the proposal to include such lands to the owners thereof for the time and in the manner provided in section six of this Act, and the court may continue the hearing as to the owners of such lands for the giving of said notice. And if it shall finally appear to the court, after hearing any and all competent evidence that may be offered for and against the petition and for and against the inclusion of other lands in the proposed district, that all or the major portion of the lands embraced in the boundaries of the proposed district, or said lands and other lands lying outside said boundaries and contiguous thereto, are contiguous and that the water of said lands naturally flows or is drained into said Skillet Fork River and said land will be benefited for agricultural and sanitary purposes by improving the channel of said stream for a better outlet and more free flow of water or protection from overflow,

the court shall so find; and such findings shall be conclusive of such facts and not subject to review on appeal or writ of error; and such findings shall be conclusive upon all the landowners of said district that they have assented to and accepted the provisions of this Act. If, after being sufficiently advised and informed in the premises, the court finds that Skillet Fork River Drainage District should be organized for the purpose of improving said river, it shall order and adjudge that the said Skillet Fork River Drainage District bounded as follows.....

.....is duly established as provided by this Act, and said findings and judgment shall be entered at large upon the records of said court. Said judgment shall be final and shall not be questioned or attacked in any collateral proceeding, and every presumption shall be indulged in favor of the jurisdiction of the court and the validity of said judgment. If the court shall find against the petitioners the petition shall be dismissed at their cost. Separate or joint appeals and writs of error to review said judgment may be taken to the Supreme Court by the parties affected thereby. But no appeal from said judgment shall be heard unless the same shall be perfected within thirty days after the entry of said judgment, and no writ of error shall issue to review said judgment unless sued out within four months after the entry of said judgment and not then unless the plaintiff in error shall file in the Supreme Court with the application for such writ his affidavit stating that he was a non-resident of the county or counties in which the lands of said district lie at the time of the pendency of the proceedings for the organization of said district and did not receive any notice or otherwise learn of the pendency of said proceedings until after default had been entered against him and did not have an opportunity to appear in said court and move to set aside said default. The granting of an appeal or writ of error to one or more persons, or the reversal of said judgment upon such appeal or writ of error by such person or persons separately or jointly shall not impair nor invalidate the organization of said district as to all other persons not appealing nor suing out such writs, nor shall such appeal or writ of error delay the work or proceedings so far as it affects the lands of such other persons. Nor shall it be a valid ground of objection on the part of any landowner upon said hearing, or upon an appeal from said judgment, or upon any writ of error attacking the said judgment that any owner of other land has not received sufficient notice of the said proceedings, or that the said judgment is invalid as to the said owner of other lands.

§ 23. Immediately after their appointment and qualification, the commissioners appointed for said district shall go upon the territory of said district and examine the lands therein and the channels of said Skillet Fork River and the bayous, lagoons and other streams tributary thereto and determine upon and locate, design, lay out and plan such work as, in their judgment, is necessary for the improvement of the channel of said river or any of its said tributaries, for a better outlet and more free flow of the water, or protection from overflow, of said lands, for agricultural and sanitary purposes, having in view the future contingencies as well as the present, and may provide for straightening,

deepening or enlarging said channel, or any part thereof, or any tributary thereof, or for cutting a new channel or outlet for said river, or changing the course thereof, or for constructing embankments to turn water into or confine water in said river, or any tributary thereof, or any channel constructed to straighten, change or improve the same, and for removing from said river, or its banks, rocks, shoals, bars, drifts, drift material, trees, and other obstructions to the flow of water, and for any other work they shall deem necessary for the improvement of the channel of said river, or any tributary thereof, for the purposes aforesaid. The commissioners shall have proper surveys, profiles, plans and specifications of such work made, and a plat of the district showing with reasonable certainty the location of all such work, and shall report their conclusions and a copy of said surveys, profiles, plans and specifications and plat, and an estimate of the cost of such work, to the court which appointed them. Said estimate shall include the cost and expenses of planning and laying out such work and constructing the same, the cost of procuring right of way therefor and of building any bridges that may be made necessary by the construction of such work, and of all lawful expenses incident thereto.

§ 59. WHEREAS, an emergency exists, this Act shall be in force from and after its passage.

APPROVED June 25, 1917

SPECIAL ASSESSMENT OF LANDS, RAILROADS, HIGHWAY AND
MUNICIPAL CORPORATIONS.

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| <p>§ 1. Commissioners authority to levy special assessments upon lands, railroads, highways and municipal corporations, not previously assessed, for benefits.</p> <p>§ 2. Cost of improvement—resolution—assessment roll.</p> <p>§ 3. Petition for hearing in County Court—notice—hearing—determination of court final and conclusive—appeal and writ of error.</p> <p>§ 4. Form of notice.</p> | <p>§ 5. When assessment may be paid—record of assessment roll—certified copy of assessment roll when lands lie in two or more counties—duty of clerk—payment of assessment in installments—When assessment found to be illegal—extension of installments—liens.</p> <p>§ 6. Commissioners power to borrow money by issuance of bonds.</p> <p>§ 7. Action of majority binding.</p> <p>§ 8. Laws made applicable.</p> <p>§ 9. How provisions of Act to be construed.</p> <p>§ 10. Invalidity.</p> <p>§ 11. Emergency.</p> |
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(HOUSE BILL No. 564. APPROVED JUNE 11, 1917.)

AN ACT to authorize the levying of special assessments upon lands, railroads, public highways and municipal corporations situate within any drainage district so as to provide the funds necessary to pay the cost of construction for benefits that shall have been conferred by the construction of any work of improvement, without special assessments having been legally levied prior thereto, and providing for the issuance of bonds payable out of such special assessments, authorized by this Act to be levied.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That authority is hereby given to

the commissioners of any drainage district organized under any law of the State of Illinois within which there shall have been heretofore, at the request of such commissioners, made or constructed in good faith any work of improvement, and as a result of which the lands, railroads, public highways and municipal corporations within such district, or any part thereof, have been benefited, but prior to the construction of which improvements special assessments had not been legally levied thereon, to cause special assessments to be levied upon such of the lands, railroads, public highways and municipal corporations within any such drainage district after such improvement shall have been made as shall have been benefited thereby for the amount of the cost of such improvement but not in excess of the benefits, in the manner hereinafter provided.

§ 2. The amount of the cost of any such improvement so made shall be ascertained and determined by the commissioners of such drainage district and shall be equitably apportioned by them between the different lots, parcels of land, railroads, and public highways and municipal corporations within the drainage district, or such part thereof, according to the benefits conferred upon the respective lots, parcels of land, railroads, and public highways and municipal corporations, which determination and apportionment shall be evidenced by an appropriate resolution of the commissioners and in determining the cost the commissioners may include interest at not to exceed six per centum (6%) per annum on the amount of cost of such improvement from the time any such benefits shall have been actually conferred by the construction of such improvements. The resolution so adopted shall thereupon be spread upon the records of the commissioners and shall indicate the manner in which the commissioners have equitably apportioned the amount of the cost based wholly upon the benefits, between the different lots, parcels and tracts of land, railroads, public highways and municipal corporations within such district according to the proportions of benefits, if any, that it has been found and determined by the commissioners accrue to such lands, respectively, and the commissioners shall include as a part of such resolution an assessment roll, indicating the names of the respective owners of the different pieces of property assessed (if known to the commissioners), the legal descriptions of the lots, parcels and tracts of land, so assessed, and the respective amounts indicated by dollars and cents of such assessment, as they are proposed to be apportioned, and any part of any previous assessment for said improvement that may have been paid on account thereof.

The commissioners shall also include therein all railroads, public highways and municipal corporations to be affected by the proposed work, and the amount of benefits assessed, if any, accruing to the tracts or right of way of said railroads and public highways and roads, and the streets and alleys of such municipal corporations.

§ 3. After the resolution above provided for shall have been adopted by the commissioners, they shall cause a petition to be filed in the County Court of the county in which such drainage district, or the greater part thereof lies, praying the court to fix a date for a hearing by the court for the purpose of finally determining whether or not said improvement

is of advantage to the property proposed to be assessed, the total cost of such improvement, and the equitable apportionment of such cost between the properties based upon the benefits of the respective lots, parcels of land, railroads, and public highways and municipal corporations in such drainage district which have been assessed therefor by the commissioners. With the petition to be so filed there shall also be filed a copy of such resolution of the commissioners, and thereupon the court shall fix a date for a hearing before the court, and a notice of the hearing hereinafter provided for shall be published by at least two insertions in a newspaper or newspapers printed or published in each county in which the district, or any part thereof, is located, which notice shall be regarded as sufficient, if the first publication thereof shall not be less than ten (10) days prior to the date fixed for such hearing, and the last insertion not less than three (3) days after the first insertion. All interested persons desiring to object either to whether or not said improvement is of advantage to the property proposed to be assessed to the amount determined by the commissioners to be the total cost sought to be charged upon the lands within the district, or its apportionment as to any individual assessment, or any credit of payment that should be allowed may be heard and shall at any time before the time fixed for such hearing, file objections, in writing, with the clerk of the County Court indicating the description of the property assessed as to which such objection is filed, the nature of the interest of the objector therein, and the nature of the objection desired to be raised. As to all property to which no objection shall be so filed the assessment may be confirmed without any further proceedings. After such notice shall have been given and at the time fixed for the hearing, or at any time thereafter, the court shall proceed in a summary manner, to hear and determine whether the cost of the improvement and the apportionment thereof are just and equitable, and the respective lots, parcels of land, railroads, public highways and municipal corporations in such drainage district assessed no more than the benefits received by such improvement, and the said resolution and assessment roll shall be accepted as *prima facie* evidence as to all matters authorized by this Act to be therein contained as to all interested parties not filing objections, as well as upon the hearing of said cause. After having fully heard and considered all of the evidence that shall have been submitted relating to the objections that shall have been filed as to whether or not said improvement is of advantage to the property proposed to be assessed to the total cost of such improvement, or the apportionment of the total cost and the benefits to respective lots, parcels of land, railroads, public highways and municipal corporations in such drainage district, between the different lots, parcels and tracts of land, railroads, public highways and municipal corporations, assessed, the court shall either approve the assessment roll as prepared by the commissioners or shall make whatever changes may be concluded necessary, whether as to the total amount of cost of the improvement, but not in excess of the benefits, or the apportionment thereof between the different lots, parcels or tracts of land, railroads, public highways and municipal corporations within said district in accordance with the provisions of this Act and what justice shall

require, and the court in fixing the apportionment of the cost of the improvement (not in excess of the benefits) between the different pieces of property, shall make allowance for any part of any illegal assessment that may have been theretofore levied and paid on account thereof, but no further notice shall be required than the notice hereinbefore required to be given and all persons interested shall be concluded by the determination of the court in respect thereto, and such determination as well as the determination as to whether the notice required by this Act to be given has been duly given, shall for all purposes be considered final and conclusive and in all respects binding upon the different properties so assessed, but subject nevertheless to the right of appeal and writ of error provided for by law.

§ 4. The notice hereinbefore required to be given by the commissioners prior to the hearing above provided for shall state the time and place for such hearing and shall be directed "To Whom It May Concern," and the form thereof shall include a copy of the assessment roll, which notice shall be published as above provided.

§ 5. As soon as the said assessment shall have been confirmed, whether with or without correction, except as is hereinafter provided, it may be paid within thirty (30) days of the date of such confirmation, without interest but interest shall be payable on each of the respective assessments after the expiration of said thirty (30) days, at the rate of six per centum (6%) per annum. The clerk of the County Court of the county in which such district was organized shall record the assessment roll and extend the assessment, as confirmed, and apportioned, for the respective amounts shown by the order of court to have been assessed and the interest thereon against the different lots, parcels or tracts of land, railroads, public highways and municipal corporations, assessed respectively: *Provided, however*, where the lands of said district lie in two or more counties, the clerk of the County Court in which said proceedings were had, shall forthwith, after the entering of the order of court confirming said assessment, send a duly certified copy of said assessment roll as confirmed, to the county clerk of any other county or counties in which any of the lots, parcels and tracts of land, railroads, public highways and municipal corporations in the drainage district assessed may lie, showing the descriptions of such lands assessed in such other county or counties, and it shall thereupon be the duty of such clerk to record such list in a record in his office and properly note or index the fact of such levy against each lot, parcel and tract of land, railroad, public highway and municipal corporation so assessed, and the county clerk of each of the counties in which property has been assessed shall annually extend the same, including the interest payable thereon, on the proper collector's books, in proper columns, the same as though the whole proceedings and district were in his county. And the amounts so extended shall, as nearly as practicable, be collected at the same time and in the same manner as other taxes on like property and be paid over by the party collecting to the treasurer of the drainage district, in the same time and manner as taxes collected are required to be paid to treasurers of municipal corporations.

At any time after such assessment has been confirmed, the County Court shall order that the assessment be paid within such further time, in installments, in such amounts and at such times as will, in the judgment of the court, be best. As nearly as it shall be practicable, in any case in which an assessment shall have been made before the adoption of this Act for such improvement and shall be found to be illegal, the court shall order that the assessment be paid, so as to become payable in strict conformity with the requirements of the law and as was contemplated in the original assessment proceedings that have been found to be illegal, and payment thereon shall be ordered to be made in accordance therewith. The clerk of the County Court shall duly certify to the county clerk of each other county in which the drainage district lies, the amounts, including interest thereon and dates on which such assessment has been made payable, and such county clerks shall annually extend each of such installments of principal and interest in like manner that the entire assessment, had it not been made payable in installments, is required to be extended. The amount of such assessments, as apportioned, and the installments thereof, that shall from time to time remain unpaid, with the interest thereon, shall be liens upon the lots, parcels and tracts of land, railroads, public highways and municipal corporations, respectively, assessed, from the date of confirmation until paid, and shall draw interest at the rate of six per centum 6% per annum from the expiration of thirty (30) days after the date the assessments shall have been confirmed by the County Court until paid, and such interest shall be enforced as a part thereof: *Provided, however*, any property owner shall have the right to pay in full that part of any such assessment apportioned against his property without interest, if paid within thirty (30) days of the date of such confirmation.

§ 6. The commissioners of such drainage districts, after the County Court shall have entered an order making the amounts payable in installments as provided for in the previous section of this Act, are hereby authorized to borrow money on any such assessments so levied and made payable in installments and which shall be unpaid at the time of borrowing, and may secure such loan by the issuance of bonds of the district bearing interest at not to exceed six per centum (6%), payable either annually or semi-annually and represented by interest coupons, as they shall determine. Such bonds and the interest thereon shall be made to become due and payable at such time or times as shall be designated by the commissioners with reference to the time or times of payment fixed at which the installments of the assessment shall have been ordered to become payable: *Provided*, same shall be done subject to the approval of the County Court. Bonds issued as authorized hereby and interest coupons shall be in such form and be executed as said commissioners shall determine, and the commissioners shall not be held personally liable for the moneys so borrowed but the bonds and interest coupons shall constitute a lien upon the assessment or assessments, levy or levies on account of which they shall have been issued for the repayment of the principal and interest of said bonds.

§ 7. The action of a majority of the commissioners under any of the provisions of this Act shall be construed and regarded as sufficient and binding.

§ 8. All laws and parts of law of this State which are now in force or which shall be enacted in the year 1917 or thereafter, and which can be adapted or made applicable to the levy and collection of special assessments in drainage districts, and the issuance of bonds payable out of assessments levied which shall not be inconsistent with the provisions of this Act, shall be and they are hereby made applicable to the levy and collection of the assessments and the issuance of bonds authorized by this Act.

§ 9. The provisions of this Act shall not be construed to be a repeal of any other existing provisions of law, except only in so far as the same shall be found to be irreconcilably in conflict therewith but the provisions and remedies provided for by this Act shall be regarded as cumulative to any other existing provisions of law.

§ 10. If this Act, or any section, subdivision, sentence or clause thereof, is for any reason held invalid or unconstitutional, such decision or holding shall not affect the validity of the remaining portions of this Act or the remaining portions which can be given effect without such invalid part.

§ 11. WHEREAS, an emergency exists, therefore this Act shall be in force from and after its passage and approval.

APPROVED June 11, 1917.

ELECTIONS.

ABSENT—ELECTORS.

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| § 1. Any qualified elector duly registered expecting to be absent may vote. | § 8. Carrier envelope and contents to be delivered to precinct judges. |
| § 2. Time for making application for ballot. | § 9. Absent voters ballots to be cast separately at close of polls. |
| § 3. Form of application. | § 10. Challenges—notice of rejection to be mailed. |
| § 4. Ballot to be mailed. | § 11. Ballots of deceased electors. |
| § 5. Return envelope with affidavit to be enclosed by county clerk or election commissioners. | § 12. General ballot and other election laws to apply to districts using voting machines. |
| § 6. Absent voters to make affidavit and return ballot. | § 13. Penalties. |
| § 7. Marked ballot upon receipt to be deposited unopened in carrier envelope together with application. | § 14. Construction of Act. |
| | § 15. Acts in conflict repealed. |

(SENATE BILL NO. 265. APPROVED JUNE 22, 1917.)

AN ACT to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That any qualified elector of the

State of Illinois having duly registered where such registration is required, who expects in the course of his business or duties to be absent from the county in which he is a qualified elector on the day of holding any special, general or primary election at which any presidential preference is indicated or any candidates are chosen or elected, for any congressional, State, district, county, town, city, village, precinct or judicial offices, or at which questions of public policy are submitted, may vote at such election as hereinafter provided.

§ 2. APPLICATION FOR BALLOT. Any elector as defined in the foregoing section expecting to be absent from the county of his residence on the day of such election may not more than fifteen nor less than three days prior to the date of such election make application to the county clerk or, where existing, to the board of election commissioners, or other officer or officers charged with the duty of furnishing ballots for such election in his voting precinct, for an official ballot for said precinct to be voted at such election.

§ 3. FORM OF APPLICATION. Application for such ballot shall be made on a blank to be furnished by the county clerk or the board of election commissioners or other officer or officers charged with the duty of furnishing ballots as aforesaid, as the case may be, and shall be substantially in the following form:

AFFIDAVIT AND APPLICATION FOR BALLOT.

To be voted at the.....election in the.....precinct of the.....ward in the city or town of....., county of....., and State of Illinois.

STATE OF..... { ss.

COUNTY OF..... {

I,, do solemnly swear that I am a resident of the.....precinct of the town of....., or of the.....ward in the city of....., residing at.....in said city or town in the county of....., and State of Illinois, and entitled to vote in such precinct at a.....election to be held therein on.....; that my business or duties are....., and that in the course of my business or duties I expect to be absent from the said county of my residence on the date of holding such election, and that I will have no opportunity to vote in person on that day.

I hereby make application for an official ballot or ballots to be voted by me at such election, and I agree that I shall return said ballot or ballots to the official issuing the same in sufficient time for such official to deliver said ballot or ballots to the proper polling place prior to the closing of the polls on the date of the election[.]

Post office address to which ballot is to be mailed:

.....

Subscribed and sworn to by.....
 who is personally known to me before me this.....day of.....
 A. D.....

.....

 Official Capacity.

(Penalty clause set out in full)

Provided, that if application be made for a primary election ballot, such application shall designate the name of the political party with which the applicant is affiliated.

§ 4. OFFICIAL TO DELIVER OR MAIL BALLOT. Immediately upon the receipt of such application, and not more than fifteen nor less than three days prior to such election, it shall be the duty of such county clerk or board of election commissioners or other officer or officers charged with the duty of furnishing ballots as aforesaid, as the case may be, to mail, postage prepaid, an official ballot or ballots, if more than one are to be voted at said election, or such officer or officers shall deliver said ballot or ballots to any qualified elector applying in person at the office of such officer or officers and subscribing to the foregoing application not more than ten nor less than three secular days before said election.

§ 5. ENVELOPE FOR BALLOT. It shall be the duty of said county clerk or board of election commissioners or other officer or officers as aforesaid to fold the ballot or ballots in the manner specified by the statute for folding ballots prior to their deposit in the ballot box, and he shall enclose such ballot or ballots in an envelope unsealed to be furnished by him, which envelope shall bear upon the face thereof the name, official title, and post office address of such officer or officers, and upon the other side a printed affidavit in substantially the following form:

STATE OF..... } ss.
 COUNTY OF..... }

I,, do solemnly swear that I am a resident of the.....precinct of the town of....., or of theward in the city of....., residing at..... in said city or town in the county of....., and State of Illinois, and am entitled to vote in such precinct at the..... election to be held on.....; that my business or duties are.....; and that in the course of my business or duties I expect to be absent from the said county of my residence on the date of said election.

I further swear that I marked the enclosed ballot in secret.

.....
 Subscribed and sworn to before me, an officer duly authorized under the laws of the State to administer oaths, this.....day of..... A. D., and I hereby certify that the affiant exhibited the enclosed ballot to me unmarked, and that he then in my presence and in the presence of no other person and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this

envelope, and that the affiant was not solicited or advised by me to vote for or against any candidate or proposition.

.....

Official Capacity.

Provided, that if the ballot enclosed is to be voted at a primary election the affidavit shall designate the name of the political party with which the voter is affiliated.

In addition to the above, the said officer or officers shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of said printed slips to each of said applicants at the same time the ballot is delivered to him.

§ 6. AFFIDAVITS, MARKING AND RETURNING BALLOT. Such absent voter shall make and subscribe to the affidavits provided for in the application and on the return envelope for said ballot before an officer authorized by law to administer oaths and such voter shall exhibit the ballot to such officer unmarked, and shall thereupon in the presence of such officer and of no other person mark such ballot or ballots, but in such manner that such officer cannot know how such ballot is marked, and such ballot or ballots shall then in the presence of such officer be refolded by such voter in the manner required to be folded before depositing the same in the ballot box, and be in the presence of such officer deposited in such envelope and the envelope securely sealed. Such officer shall then endorse his certificate upon the back of said envelope and said envelope shall be mailed by such voter, postage prepaid, to the officer issuing the ballot or, if more convenient, it may be delivered in person, but in any event it must be returned into the hands of the officer in sufficient time for said ballot or ballots to be delivered by such officer to the proper polling place before the closing of the polls, on the day of the election.

§ 7. CUSTODY OF THE BALLOT. Upon receipt of such absent voter's ballot, the officer or officers above described shall forthwith enclose the same unopened, together with the application made by said absent voter in a larger or carrier envelope which shall be securely sealed and endorsed with the name and official title of such officer and the words, "This envelope contains an absent voter's ballot and must be opened only at the polls on election day immediately after said polls are closed," together with the number and description of the precinct in which said ballot is to be voted, and such officer shall thereafter safely keep the same in his office until delivered by him as provided in the next section.

§ 8. ENVELOPES—DELIVERY TO JUDGES OF ELECTION. In case an absent voter's ballot is received by the said officer prior to the delivery of the official ballots to the judges of election of the precinct in which said elector resides, such ballot envelope and application, sealed in the carrier envelope, shall be enclosed in such package and therewith delivered to the judges of such precinct. In case the official ballots for such precinct have been delivered to the judges of election at the time of the receipt by the county clerk, board of election commissioners, or other officer or

officers as aforesaid, of such absent voter's ballot, such officer shall immediately enclose said envelope containing the absent voter's ballot, together with his application therefor, in a larger or carrier envelope which shall be securely sealed and addressed on the face to the judges of election, giving the name or number of precinct, street and number of polling place, city or town in which such absent voter is a qualified elector, and the words, "This envelope contains an absent voter's ballot and must be opened only on election day at the polls immediately after the polls are closed," mailing the same, postage prepaid, to such judges of election, or if more convenient, such officer may deliver such absent voter's ballot to the judges of election in person or by duly deputized agent, said officer to secure his receipt for delivery of such ballot or ballots. All absent voters' ballots returned to the officer supplying the same too late to be delivered to the proper polling place before the closing of the polls on the day of election shall be endorsed by the official receiving the same with the day and hour of receipt and shall be safely kept unopened by such officer for the period of time required for the preservation of ballots used at such election, and shall then, without being opened, be destroyed in like manner as the used ballots of such election.

§ 9. OPENING ENVELOPE AND VOTING BALLOT. At the close of the regular balloting and at the close of the polls the judges of election of each voting precinct shall proceed to cast the absent voter's ballots separately, and as each absent voter's ballot is taken shall open the outer or carrier envelope, announce the absent voter's name, and compare the signature upon the application with the signature upon the affidavit on the ballot envelope. In case the judges find the affidavits properly executed, that the signatures correspond, that the applicant is a duly qualified elector in the precinct, and that the applicant has not voted in person at such election, they shall open the envelope containing the absent voter's ballot in such manner as not to deface or destroy the affidavit thereon, or mark or tear the ballots therein, and take out the ballot or ballots therein contained without unfolding or permitting the same to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, shall deposit the same in the proper ballot box or boxes and enter the absent voter's name in the poll book the same as if he had been present and voted in person.

In case such affidavit or the certificate of the officer before whom the same is taken is found to be insufficient or that the signatures do not correspond, or that the applicant is not a duly qualified elector in such precinct or that the ballot envelope is open or has been opened and resealed, or that said voter has already voted in person at such election, such vote shall not be allowed, but without opening the absent voter's envelope the judge of such election shall mark across the face thereof, "Rejected," giving the reason therefor.

In case the ballot envelope contains more than one ballot of any kind, said ballots shall not be counted, but shall be marked "Rejected," giving the reason therefor.

The absent voters' envelopes and affidavits and the absent voters' envelope with its contents unopened, when such absent vote is rejected,

shall be retained and preserved in the manner as now provided for the retention and preservation of of official ballots rejected at such election.

§ 10. CHALLENGES. The challengers of the respective parties or candidates shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; *Provided, however,* that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

§ 11. BALLOT OF DECEASED VOTER. Whenever it shall be made to appear by due proof to the judges of election that any elector who has marked and forwarded his ballot as provided in this Act has died prior to the opening of the polls on the date of the election, then the ballot of such deceased voter shall be returned by the judges of election in the same manner as provided for rejected ballots above; but the casting of the ballot of a deceased voter shall not invalidate the election.

§ 12. VOTING MACHINES. In all counties, cities, towns and precincts in which voting machines are used, all the provisions of the election laws now in force and not inconsistent with the provisions of this Act relating to the furnishing of ballot boxes, printing and furnishing official ballots and supplies in such number as provided by law, the canvassing of the ballots and making the proper return of the result of the election, shall apply with full force and effect; *Provided, however,* that the number of ballots to be printed shall be in the discretion of the officers charged with printing and furnishing the same in said precincts, towns, cities or counties.

§ 13. PENALTY CLAUSE. If any person shall wilfully swear falsely to any such affidavit, he shall, upon conviction thereof, be guilty of perjury and shall be punished as in such case is by law provided. If any person who, having procured an official ballot or ballots as heretofore provided, shall wilfully neglect or refuse to cast or return same in the manner heretofore provided, or shall wilfully violate any provision of this Act, he shall be guilty of a misdemeanor and shall be fined not to exceed one hundred dollars, or imprisoned in the county jail not to exceed thirty days. If any county clerk or member or clerk of the board of election commissioners or any other election officer or officers shall refuse or neglect to perform any of the duties prescribed by this Act, or shall violate any of the provisions thereof, he shall, upon conviction be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned in the county jail not to exceed ninety days.

§ 14. CONSTRUCTION OF THE STATUTE. This Act shall be deemed to provide a method of voting in addition to the method now provided by statute, and to such extent as amendatory of existing statutes relating to the manner and method of voting.

§ 15. All Acts and parts of Acts in conflict herewith are hereby repealed.

APPROVED June 22, 1917.

ABSENT VOTING OF PERSONS IN MILITARY SERVICE.

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| § 1. Who entitled to vote under Act. | § 7. Manner of holding of election — ballot box. |
| § 2. Adjutant General to furnish Secretary of State with register of voters. | § 8. Elector to execute oath on envelope—manner of deposit of ballot. |
| § 3. Secretary of State to prepare war ballots. | § 9. Count of ballots. |
| § 4. Envelopes prepared by Secretary of State—oath. | § 10. Certification to Secretary of State. |
| § 5. Date of election—polls open. | § 11. Ballots forwarded to county clerk—County canvassing board. |
| § 6. Selection of judges and clerks—oath of office. | § 12. Penalty. |
| | § 13. General rules to govern. |

(SENATE BILL NO. 508. APPROVED JUNE 22, 1917.)

AN ACT to enable qualified electors of this State enlisted in companies or regiments organized in this State and absent from their election precincts because engaged in actual military service, to vote as a unit in certain elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That qualified electors of this State enlisted in companies or regiments organized in this State and absent from their election precincts on the day prescribed by law for the holding of any general election because engaged in the actual military service of the State or of the United States, shall be entitled to vote for all State officers and on all State-wide questions in any such election. The qualified electors of any such company or regiment shall vote as a group or unit, as hereinafter provided. The commanding officer of any such company or regiment shall, in his discretion, fix the number of polling places for any such election.

§ 2. Thirty days before any such election the Adjutant General shall furnish the Secretary of State with a register containing the names and addresses of all qualified electors enlisted in companies or regiments organized in this State and absent from their election precincts because engaged in the actual military service of the State or of the United States.

§ 3. The Secretary of State shall, as soon as possible after the nominations for the various State offices shall have been made, prepare official war ballots in such number as shall be necessary to supply such absent voters. Such ballots shall be sent to the commanding officer of any such absent company or regiment, together with the registry of such absent voters prepared from the report of the Adjutant General to the Secretary of State. Such ballots shall contain only the names of the candidates for State offices. If, at any such election, any proposed amendment to the Constitution or other proposition or question is to be submitted to the voters of the State, the Secretary of State shall furnish in the form prescribed by law, an equal number of ballots for the question or questions so submitted.

§ 4. The Secretary of State shall also cause to be prepared and printed, at least twice as many official envelopes as there are voters absent from election districts, as shown by such register. Such envelopes

shall be gummed, ready for sealing. Upon one side of said envelope shall be printed endorsements in substantially the following form:

“OFFICIAL WAR BALLOT FOR GENERAL ELECTION.

November....., 19....

Name of voter.....
Residence (street and number, if any).....
County of.....
City or town of.....

Secretary of State.”

Upon the other side of said envelope shall be printed the following oath:

“OATH OF ELECTOR.

I do solemnly swear (or affirm), that I am a citizen of the United States, and am now of the age of at least twenty-one years, or will be on the.....day of....., 19....; that I will have been an inhabitant of the State of Illinois for one year next preceding this election, and ninety days preceding such election, a resident of the county of....., and am a qualified voter residing at (street and number, if any)....., in the (city or town) of.....; that I am in the actual military (or naval) service of the State of Illinois, or of the United States, and at present attached to..... (here state the principal command to which attached), and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the Governor of any State).

Subscribed and sworn to before me this.....day of....., A. D. 19....

Title of Officer.”

The Secretary of State shall also furnish poll books and necessary poll lists, tally sheets, copies of this law, and any and all other blanks and forms necessary for the conduct of such election.

§ 5. Elections in the camps shall be held not less than five nor more than twenty days prior to the general election day. The date of such election shall be fixed by the commanding officer of any command where the poll or polls of such election shall be held, by proclamation duly made. Such polls shall be opened at such hour of the day as shall be most convenient for such voters, and shall remain open not less than three hours, and as much longer as shall, in the opinion of the officers of election serving at such polls be necessary in order to receive the votes of all voters of this State entitled to vote at such poll, but no poll shall be kept open later than sunset of the day on which said election shall be held.

§ 6. At the hour and place for the opening of the polls, the qualified voters of this State then and there present, shall, by a *viva voce* vote,

select three of their own number to act at such election as judges of election. Such judges shall, so far as possible, be so selected that they shall represent the leading political parties of this State. When so elected, they shall choose one of their number as chairman and another as clerk, by drawing lots. Such chairman shall then administer the oath of office to the other judges, and one of the judges shall then administer the same to the chairman. The oath to be administered shall be as follows:

"I do solemnly swear (or affirm), that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election, according to the best of my ability."

Such oath or affirmation shall be written or printed, or partly written or partly printed, attached to or entered upon the poll books used at such election, subscribed by the persons taking the same, and certified to by the person administering the same.

§ 7. Immediately upon the organization of the board of judges the commanding officer to whom shall have been delivered any official war ballots, poll books and envelopes, shall deliver the same to the judges of election and shall take a receipt therefor, which receipt shall be forwarded by mail by such commanding officer, to the Secretary of State. Said judges shall produce and have at the polls before any votes are taken by them, a box for the reception of the ballots to be voted at such election. Before proceeding to take any votes, they shall open said box and publicly exhibit the inside thereof, and the same shall be entirely emptied. They shall then close and securely fasten the same, and said box shall not be opened again until the close of the polls at such election. Each such box shall have an opening in the top thereof for the reception of voted ballots.

The chairman of the board shall have charge of the ballot box during the election and shall receive from the qualified voters, their envelopes containing ballots, and shall deposit them in the ballot box. The other two members shall keep the poll books.

§ 8. Before any person shall receive an official ballot or be permitted to vote, he shall make and subscribe the oath printed upon the official envelope, as provided herein, and any one of the judges of election is hereby authorized to administer and attest such oath. If any voter shall refuse to take the oath so tendered, he shall not be allowed to vote, but if he shall take the oath tendered him, his vote shall be accepted. Upon subscribing to the required oath, the voter shall state his name and residence by street and number, if any, county, city or town, which information shall be entered upon the poll books. He shall also give such other information as is required to be entered in the poll books. When such voter has given such information, the judge in charge of the polls and envelopes, shall write in the proper blank spaces upon such official envelope, the name and residence, by street and number, if any, of such voter, and the county, city or town in which he claims to reside, and shall deliver such ballot or ballots and such envelope to such voter. Such voter shall then retire to some convenient place and shall

prepare his ballot and envelope for voting. After preparing his ballot, the voter shall fold his ballot in such a way that the contents of the ballot shall be concealed, and enclose the same in such envelope, which he shall securely seal. He shall then deliver such envelope to the chairman of the board of judges. Before such envelope shall be deposited in the ballot box, the chairman shall state the name of such voter, his residence, whether or not he is entitled to vote and whether or not the envelope is securely sealed. If the voter's name and other information hereby required, appear upon the poll books, the judges keeping such poll books shall so announce and record such voter as voting. The chairman shall thereupon deposit such envelope in the ballot box. Any person so voting shall not in any manner vote again for any candidate or on any question in such election.

§ 9. As soon as the polls of such election are closed, the judges shall publicly destroy all official envelopes and ballots not voted and shall then publicly open such ballot boxes and count and ascertain the number of voters voting, and shall not adjourn or postpone the count until it shall have been fully completed. The judges shall number each voter whose name is recorded in such poll books as having voted, beginning with the first name entered therein, and numbering the same in consecutive order, and shall fill out and sign the certificate to be made by them as to the whole number voting at such election. If the envelopes containing ballots found in such box shall be more than the number of such envelopes so shown by the poll books to have been deposited therein, the judges shall compare the names upon such envelopes with the names recorded in such poll books, and all such envelopes so found in said ballot box purporting to have been deposited therein by a voter whose name is not duly entered in such poll books, as herein provided, shall, with their contents, be immediately destroyed, without opening the same, and if more than one such envelope shall be found in said ballot box purporting to have been deposited therein by the same voter, then all such envelopes and their contents purporting to have been deposited in such ballot box by such voter, shall be destroyed. No such envelope without an official endorsement, as herein provided, shall be counted.

§ 10. At the completion of the count, the judges shall certify the correctness of the same upon the poll books, and shall publicly announce the number of votes cast. They shall, thereupon, enclose all such envelopes containing ballots, without opening the same, in a sealed package, with the poll books, and shall forward them to the Secretary of State, at Springfield, Illinois, as soon as possible after such election.

§ 11. Upon the receipt by the Secretary of State of the packages containing the envelopes and poll books, he shall at once forward such envelopes to the county clerk of the respective counties wherein reside such voters absent in military service. Each county clerk shall deliver all envelopes so received from the Secretary of State to the county canvassing board at the time of its regular meeting, and such board shall count all the ballots enclosed in such envelopes and make abstracts of the same, which abstracts shall be sent to the Secretary of State, to be canvassed in the manner provided by law for the canvassing of other

votes. Such abstracts shall be made and sent to the Secretary of State in accordance with the provisions of sections 71 and 76 of an Act entitled: "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended.

Any such ballots may be rejected for cause by the county canvassing board.

§ 12. If any person shall wilfully swear falsely to any affidavit herein provided for, he shall, upon conviction thereof, be deemed guilty of perjury, and shall be punished as in such case by law provided. If any election officer shall refuse or neglect to perform any of the duties prescribed by this Act, or shall violate any of the provisions thereof, or if any officer taking any of the affidavits provided for herein, shall make any false statement in his certificate thereto attached, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00) or by imprisonment in the county jail, not exceeding thirty (30) days, or by both such fine and imprisonment.

§ 13. The general election laws to the extent that the same are not inconsistent with the provisions of this Act shall govern and control all elections under this Act.

APPROVED June 22, 1917.

USED AND UNUSED BALLOTS—SALE OF.

§ 1. Amends section 59, Act of 1872.

§ 59. Sale of ballots—proceeds.

(SENATE BILL NO. 124. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section fifty-nine (59) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended by amending section fifty-nine (59) thereof so as to read as follows:

§ 59. All the ballots counted by the judges of election shall, after being read, be strung upon a strong thread or twine, in the order in which they have been read, and shall then be carefully enveloped and sealed up by the judges, who shall direct the same to the officer to whom by law they are required to return the poll books, and shall be delivered, together with the poll books, to such officer, who shall carefully preserve said ballots for six (6) months, and at the expiration of that time said clerk shall remove the same from original package and grind and shall sell the same, together with all reserve and unused ballots, to the highest and best bidder for cash in hand paid, and deposit the proceeds in the city treasury, county treasury, or treasury of the municipality, or other subdivision of the State which paid for such ballots. *Provided*, if any

contest of election shall be pending at such time in which such ballots may be required as evidence, the same shall not be disposed of or sold until after such contest is finally determined.

APPROVED June 22, 1917.

CITIES, VILLAGES AND TOWNS.

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| <p>§ 1. Amends section 7 of Article II, sections 5, 11, 17, 18, 21 and 27, of Article III, section 6 of Article IV and sections 5 and 6 of Article VII, and repeals sections 19, 20, 22, 23 and 24 of Article III.</p> <p>§ 7. Provides for the divisions of precincts of cities to have not over 400 qualified voters.</p> <p>§ 5. Provides for the registration of voters with the election commissioners between the first and last registration day.</p> <p>§ 11. Provides that notice to show cause why name shall not be removed from register shall be mailed to address at least two days before the time set for hearing.</p> | <p>§ 17. Provides for voters who have moved since the last registration day.</p> <p>§ 18. Fixes the duty of the clerks to canvass the registry.</p> <p>§ 21. Penalty is extended to the canvass of the registry.</p> <p>§ 27. Registry not to be canvassed in certain cases.</p> <p>§ 6. Provides for the voting of woman who has married since last registration.</p> <p>§ 5. Provides for the payment of the judges and clerks.</p> <p>§ 6. Warrants—how drawn.</p> |
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- § 2. Repeal.

(HOUSE BILL NO. 736. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "An Act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns of this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, by amending section 7 of Article II, sections 5, 11, 17, 18, 21 and 27 of Article III, section 6 of Article IV, sections 5 and 6 of Article VII, and by repealing sections 19, 20, 22, 23 and 24 of Article III thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns of this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, be, and the same is hereby amended by amending section 7 of Article II, sections 5, 11, 17, 18, 21 and 27 of Article III, section 6 of Article IV, and sections 5 and 6 of Article VII, to read as inserted herein, and by repealing sections 19, 20, 22, 23 and 24 of Article III.

ARTICLE II.

§ 7. It shall be the duty of said board of commissioners, within two (2) months after its first organization, to divide said city, village or incorporated town into election precincts, which shall contain as nearly as practicable four hundred (400) qualified voters, and in making such division and establishing such precincts such board shall take as a basis the poll books, or the number of votes cast at the previous pres-

idential election. Within ninety (90) days after each presidential election, such board shall revise and rearrange such precincts on the basis of the votes cast at such election, making such precincts to contain, as near as practicable, four hundred (400) actual voters; but at any time and in all instances where the vote cast at any precinct, at any election, equals six hundred (600) there must be a rearrangement so as to reduce the vote to the standard of four hundred (400) as near as may be. The precincts in each ward, village or incorporated town shall be numbered from one upwards, consecutively.

ARTICLE III.

§ 5. Said board of registry shall, by noon of the second day following such registry, hang up the register, which shall be known as the public register, at the place of registration, which shall be accessible to the public during all business hours and the other two registers shall be returned to the board of election commissioners within the time aforesaid. Any voter of the ward, village or town shall be permitted to be present at the place of registration in said ward and shall have the right to challenge any applicant who applies to be registered. And when challenged such applicant must make oath and sign an affidavit in writing as follows:

"I do solemnly swear that I am a citizen of the United States, amyears of age, and that I have resided in the State of Illinois for the period of.....in the county of.....for the period of....., in the.....precinct of the.....ward in the city of....., said county and State, for the period of....., and at No. street, in said precinct, for the period of....., and that I last registered in said city for the.....election of.....from No.street, and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the Governor of any State.)"

This affidavit shall be signed and sworn to before one of such board of registry, and it shall be preserved and returned to the office of said election commissioners immediately. If said board of registry shall deem such affidavit sufficient, and if the board is convinced that such person is a qualified voter, then he must be admitted to such register as qualified. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oath without criticism. If any judge of election, poll clerk or other person, when such applicant has been challenged, shall designate such person upon any of the registers as a qualified voter before he has made and filed with the board of registry the affidavit of the character aforesaid, such judge of election, poll clerk or other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment.

And any person claiming to be an elector of any election precinct in such city and who, upon application, is denied the right to be registered as a qualified voter in such precinct, may make and sign an application in writing, under oath, to said board of election commissioners in substance in the following form:

"I do solemnly swear that I,, did on....., make application to the board of registry of the.....precinct of.....ward, of the city of, and that said board refused to register me as a qualified voter in said precinct, that I reside in said precinct, am a duly qualified voter and entitled to vote in said precinct at the next election."

All such applications shall be presented to the board of election commissioners by the applicant, in person, between the hours of nine o'clock a. m. and five o'clock p. m. on Tuesday or Wednesday of the second week prior to the week in which such election is to be held.

Immediately following the first day of registration and up to and until noon of the day before the second day of registration, any voter who shall make affidavit before the board of election commissioners or its clerk authorized to administer oaths, that he was unable to go to his polling place on the first day of registration and that he expects to be, by reason of absence from the city or sickness, unable to go to the polls on the second day of registration, may file with such board an application for registration. Such affidavit shall be in the following form:

"I,, do solemnly swear that I am a legal voter in the.....precinct of the.....ward in the city of, Illinois, and that by reason of I was unable to be present at the polling place in said precinct on the last day of registration, and will, by reason of, be unable to be present on the next day of registration.

Signed....."

After making such affidavit, said board of election commissioners, or its clerk, shall administer to him the oath required of applicants for registration in section 3 hereof and shall require him to answer the same questions required in section 3 and shall receive his answers on a blank provided by said board for that purpose. Said questions, with the answers thereto, shall be upon the same blank and immediately following the oath as above provided for and shall be signed and certified to be correct by the applicant.

All such affidavits required in this section, together with the questions and answers certified to as above required in the office of the election board, shall be enclosed and sealed in envelopes by precincts and be delivered by them to the judges of the respective precincts, together with the registers on the day before the second day of registration and said judges during their session on said second day of registration, shall enter such names and answers in the registers in the same manner as though such persons were registering in person. Said affidavits, with the questions and answers, shall be returned to the office of the election board with the other returns.

In the event that a voter shall, by reason of illness or absence from the city, be unable to appear in person at the office of the board of election commissioners during the interval between the first and second days of registration, he may, upon application made by him or by another for him, to the board of election commissioners, be furnished a blank such as is provided for herein which may be executed by him before any clerk of court of record, and under its seal and returned to the board of election commissioners who shall cause such voter to be registered in the same manner as though he had appeared before said board in person: *Provided*, such application for registration is received by said board after the first day of registration and not later than noon of the day before the second day of registration.

§ 11. Any voter or voters in the ward, village or town containing such precinct may, between the hours of 9 o'clock a. m. and 6 p. m. of Monday and Tuesday of the week immediately preceding the week in which such election is to be held, make application in writing, before such board of election commissioners, to have any name upon such register of any precinct in the ward erased, which application shall be, in substance, in the words and figures following:

"I being a qualified voter, registered from No..... street in the.....precinct of the.....ward of the city (village or town) of....., do hereby solemnly swear (or affirm) that I have personal knowledge that..... registered from No.street is not a qualified voter in the.....precinct of the.....ward of the city (village or town) of....., and hence I ask that his name be erased from the register of such precinct for the following reason:

.....

(Signed).....

Subscribed and sworn to before me this.....day of.....
 A. D. 19....

.....
"

Such application shall be signed and sworn to by the applicant before any member of the board or the clerk thereof and filed with said board. Thereupon notice of such application, with a demand to appear before the board of election commissioners and show cause why his name shall not be erased from said register, shall be personally served upon such person or left at his place of residence, named in such register by a messenger of said board of commissioners, and, as to the manner and time of serving such notice, such messenger shall make affidavit; said messenger shall also make affidavit of the fact, in case he cannot find such person or his place of residence, and that he went to the place named on such register as his place of residence. Such notice shall be served at least one day before the time fixed for such party to show cause.

Said commissioners shall also cause a like notice or demand to be sent by mail duly stamped and directed, to such person, to the address upon said register at least two days before the day fixed in said notice to show cause.

A like notice shall be served on the person or persons making the application to have the name upon such register erased to appear and show cause why said name shall be erased, said notice to set out the day and hour of such hearing. If the voter making such application fails to appear before said board at the time set for the hearing as fixed in the said notice or fails to show cause why the name upon such register shall be erased, the application may be dismissed by said board.

Any voter making such application or applications shall be privileged from arrest while presenting the name to the board of election commissioners, and whilst going to and returning from the board of election commissioners.

§ 17. At every election held in each city, village or incorporated town between the general registration above referred to, the registers of the last general registration with additions of names registered in the office of the board of election commissioners as hereinafter provided, shall be used.

From and after the November election in each even numbered year and until and including the thirtieth day of September in the next following even numbered year, the office of the board of election commissioners shall be open during business hours of each day, except Sundays and legal holidays, and excepting the twenty-eight (28) days immediately preceding any regular election, for the purpose of registering applicants for registration. Such applicants shall be put under oath by said board or its duly authorized clerk and shall answer the same questions as are required to be answered at general registrations in section 3 of this Article III, and such names and answers shall be entered by such board in the general registers under the proper headings in such registers. All such voters so registered and otherwise qualified shall be entitled to vote at all elections and primaries as if registered at the general registration as provided in this Act.

At least twenty days before the last day of registration in the office of the board of election commissioners as provided in section 17 of Article III hereof, such board shall cause to be published in each daily newspaper published in such city, a notice of the day and date when such registration shall cease.

If a voter remove from one place to another in the same precinct, such party must appear at the office of the board of election commissioners during the time specified above, and make oath as to such removal, and the register shall be corrected accordingly; and if not corrected, such person cannot vote: *Provided*, that any voter, making such removal within thirty days prior to any election or primary except the regular congressional elections, may make oath before the judges of such precinct, at the polling place on the day of election or primary, that he is the identical person whose name appears upon the register,

as having been registered at some other place in such precinct (naming the place), and giving the date of his removal (which must not be more than thirty (30) days preceding such election, and such statements shall be verified by two householders, residing in such precinct, that he is the identical person so registered at such other place in the precinct, whereupon such judges of election, if they believe him to be the same person registered at such other place and that he made the removal at the time specified in such sworn statement, shall receive his vote.

The fact that a voter is registered in one precinct from which he has removed, shall not prevent him from being registered in another precinct into which he has removed: *Provided*, he is otherwise entitled to be registered therein: *And, provided, further*, that it shall be the duty of the board of election commissioners to remove his name from the registry book of the former precinct immediately after registration from his new place of residence; and it is made the duty of the board of election commissioners to question every voter offering himself to be registered as to whether he was or is registered in any other precinct, and to make a note of the fact of such registration and his address, at the time he is so registered in a column to be provided in two registry books for that purpose.

§ 18. On the twentieth and twenty-first days preceding any regular election a canvass of all names on such books of registry for each precinct shall be made by the clerks of election in said precincts in the same manner in all respects as provided in sections 6, 7, 8, Article III, of this Act: *Provided*, that the verification lists required in such canvass shall be prepared by the board of election commissioners in which shall be entered all names appearing in such registers as qualified voters in each precinct in manner and form as provided in this Act for use at general registrations. Such canvass shall be conducted, reports and affidavits made and notices sent in the same manner and detail as provided in said sections 6, 7 and 8, so far as consistent herewith.

Blank books, named "verification lists," shall be furnished by the board of election commissioners for the purpose of making the canvass required in this section, the same as in case of a regular or general registration, as provided for in section 6, article III hereof, and the board of election commissioners shall transfer to said "verification lists" all of the names already upon the register at the commencement of such intermediate canvass, in the same manner and form as provided in said section 6, and the duties of the clerks in regard to such intermediate canvass shall be the same as provided in said section last mentioned: *Provided*, that no meeting of the precinct boards of registry, provided for in section 8, shall be held on Saturday night succeeding the intermediate canvass, provided for in this section: *And, provided, further*, that notices required by section 8 to be sent to voters who are not found to be living at the address from which they are registered, shall require such persons to appear at the office of the board of election commissioners on Monday or Tuesday next succeeding, between the hours of 8 a. m. and 10 p. m. and show cause why their names should not be erased from the registers of such precinct. The board of election com-

missioners shall be in session at the time and during the hours above named and said board shall discharge all the duties required in section 8 of this article, of judges of election on revision night following general registrations.

§ 21. In the matter of such intermediate canvass, notices shall be given as required by section 8, article III, hereof, and every provision of said section 8, and every duty, penalty and punishment therein provided shall be applicable and in full force as to such canvass. Said board of election commissioners is specially charged to look after such canvassers and see to it that the law is observed in all its parts by such canvassers. The board of election commissioners shall give special direction to such canvassers in regard to their duties as such, and the penalties to be incurred by them for the neglect thereof, in order and to the end that no name shall be left upon such registry of any person not entitled to vote in such precinct.

§ 27. At any special election occurring in a portion of such city, village or town, only, or which is to fill a vacancy occurring in a single office, and at all judicial elections, at which no other than judicial officers are to be elected, there shall not be a previous canvass of the registry. But at special or judicial election any legal voter of a precinct shall be entitled to vote in case he shall have been duly registered at the office of the board of election commissioners at least ten days prior thereto.

ARTICLE IV.

§ 6. The vote of no one shall be received by said judges whose name does not appear upon said registers as a qualified voter: *Provided*, that a woman whose name has been changed by marriage after having registered may vote upon making the following affidavit before the judges: "I do solemnly swear that I am the same person now registered in the.....precinct of the.....ward, and that I still reside in said precinct.

(Signed)....."

ARTICLE VII.

§ 5. At all general, county and State elections, which include officers elected through the whole county though other than State and county officers are also elected, and at all exclusively judicial elections, and at all special elections for a county or State officer, or member of Congress, or member of the Legislature, such county shall pay such judges and clerks of election for their services under this Act.

At all township elections, general or special, held for the election of township officers only, for any township or townships of which said city may be a part, such township or townships shall pay the judges and clerks for their services at such election and at any registration preceding such election and all expenses connected with such registration and election and it shall be the duty of the board of election commissioners in cities lying in two or more townships to apportion such expenses and salaries of judges and clerks among the several townships according to the benefits received.

At all elections held for the purpose of electing a member of a park board or school board, or for purpose of voting upon a proposition or propositions submitted by such board and for no other purpose, such board shall pay the expenses of such election.

§ 6. Said board of election commissioners shall audit all claims of judges and clerks of election and shall draw a warrant therefor upon such city, county, township, school board or park board treasury, as the case may be.

§ 2. Sections 19, 20, 22, 23 and 24 of article III of an Act entitled, "An Act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns of this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, are hereby repealed.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

CITIES, VILLAGES AND TOWNS.

§ 1. Amends section 20, Article II, Act of 1885.

§ 20. Rules, regulations—registration.

(HOUSE BILL No. 800. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled: "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, by amending section twenty (20) of Article two (II) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as subsequently amended, be and the same is hereby amended by amending section twenty (20) of Article two (II) thereof to read as follows:

§ 20. Said board of commissioners shall make all necessary rules and regulations, not inconsistent with this Act, with reference to the registration of voters and the conduct of elections and they shall have charge of and make provisions for all elections general, special, local, municipal, State and county, and all others of every description, to be held in such city or any part thereof, at any time, or in such village or incorporated town, as the case may be: *Provided*, that in cities, villages or towns having a population of less than thirty-five thousand, school elections shall be conducted as provided in sections 123 to 126a, both inclusive, of an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

CITIES, VILLAGES AND TOWNS.

§ 1. Amends section 1, of Article IV,
Act of 1872.

§ 1. Article IV provides for
holding of election on
first Tuesday in April.

(HOUSE BILL No. 340. APPROVED JUNE 27, 1917.)

AN ACT to amend section 1. of article IV of an Act to provide for the incorporation of cities and villages (approved April 10. 1872, in force July 1. 1872.) as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1. of Article IV of an Act to provide for the incorporation of cities and villages (approved April 10. 1872, in force July 1, 1872, as subsequently amended, be amended so as to read as follows:

ARTICLE IV.

§ 1. A general election for city officers shall be held on the third Tuesday of April, of each year: *Provided*, that in cities which include wholly within their corporate limits a town or town, such elections shall be held on the first Tuesday of April: *Provided, further*, that in cities which are located in counties under township organization, and which have adopted an Act to amend an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages, and incorporated towns in this State," (approved June 19. 1885, in force July 1, 1885,) as amended, such election shall be held on the first Tuesday in April.

APPROVED June 27, 1917.

JUDGES AND CLERKS—COMPENSATION.

§ 1. Amends section 63, Act of 1872.

§ 2. Emergency.

§ 63. As amended, fixes compensation of judges and clerks in cities in counties of the first and second class under the jurisdiction of a board of election commissioners.

(HOUSE BILL No. 41. APPROVED FEBRUARY 27, 1917.)

AN ACT to amend an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section sixty-three (63) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended by amending section sixty-three (63), so that the said section when amended, shall read as follows:

§ 63. All judges and clerks of election in counties of the first and second class shall be allowed the sum of three (\$3.00) dollars per day for their services, *provided* that in all cities in such counties under the

jurisdiction of a board of election commissioners, the judges and clerks of election shall be allowed for their services as such, five (\$5.00) dollars per day, and judges and clerks of election in counties of the third class, shall be allowed the sum of five (\$5.00) dollars per day for their services, *provided*, that all judges and clerks of election in cities having a population of five hundred thousand inhabitants or over, shall be allowed the sum of seven (\$7.00) dollars for their services for each regular election and for each primary, and five (\$5.00) dollars for each registration and revision.

§ 2. WHEREAS an emergency exists therefore this Act shall take effect from and after its passage and approval.

APPROVED February 27, 1917.

NOMINATIONS OF JUDGES OF SUPERIOR COURT OF COOK COUNTY,
AND CIRCUIT JUDGES.

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| § 1. Nominated in county conventions. | § 4. Votes of delegates. |
| § 2. Place of holding convention. | § 5. Certification by Secretary of State. |
| § 3. Petitions filed in office of Secretary of State—when. | § 6. Repeal. |

(SENATE BILL NO. 230. APPROVED JUNE 25, 1917.)

AN ACT *to provide for the nomination by political parties of judges of the Superior Court of Cook County and of all circuit judges.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That candidates of any political party as defined in section two of an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, for the office of judge of the Circuit Court in any county of the State of Illinois, and for the office of judge of the Superior Court of Cook County, shall be nominated at a convention of the members of such party's county convention as created by section 10 of said Act as amended by an Act approved June 30, 1913, in force July 1, 1913.

If any judge or judges of the Circuit Court are to be elected in any circuit comprising more than one county, such convention shall be composed of the members of each of the county conventions of the counties in such circuit.

§ 2. Such conventions shall be convened at the county seat of the county, when such circuit is included in one county. If such circuit includes more than one county, it shall meet at the county seat of the county having the largest population but a majority of the delegates constituting such convention may designate the place within such circuit that such convention shall be held.

§ 3. At least 75 days prior to the time such judges are to be elected, the chairman of the county central committee respectively of each political party (or in case a circuit comprises more than one county then the chairmen of the county central committees of such counties comprised within said circuit, or a majority thereof) shall file in the office of the Secretary of State a call for the conventions of their respective parties for nominating such judicial candidates to be voted for at such

election. Said call shall state, among other things, the time and place, (designating the building and hall) for holding such convention. The time designated for holding such convention shall be not more than 60 days nor less than thirty-one days before said election. Should any county chairman fail to make the call herein provided or should the chairmen of the county central committees (in the event that any such circuit comprises more than one county) fail to agree upon a place for such convention or to make a call therefor as herein provided, at least seventy-five days before said election, then the Secretary of State shall immediately upon such failure himself make the call as herein provided.

§ 4. Each of the delegates to such convention shall have one vote, and one additional vote for each fifty (50) votes, or major fraction thereof, of his party, cast in his precinct or political subdivision for Governor at the last general election.

§ 5. All such nominations made by such conventions shall be duly certified to the Secretary of State by the presiding officer thereof, and when certified shall be placed upon the official ballot to be voted for at said election. Not less than fifteen days before said election the Secretary of State shall certify to the county clerk of each county within which the electors may by law vote for such candidates as may be nominated here under the name of the person or persons nominated for such office as shown by the certificate of such presiding officer on file in his office.

§ 6. All laws, and parts of laws, inconsistent herewith are hereby repealed.

APPROVED June 25, 1917.

PROMISES OR PLEDGES BY CANDIDATES.

§ 1. Unlawful for candidate for elective office to make promises or pledges.

§ 2. Unlawful to attempt to secure promises from candidates.

§ 3. Penalty.

(HOUSE BILL NO. 873. FILED JUNE 26, 1917.)

AN ACT in relation to promises or pledges by candidates for elective offices.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any candidate, in any primary or general election, for any elective office in this State, to promise, pledge, offer to pledge or agree with any person, corporation, association or other organization, directly or indirectly, that, for and in consideration of a vote or votes, or the influence or support or assistance, financial or otherwise, of any such person, corporation, association or other organization, he will, if elected, perform or refrain from performing, as the case may be, any official act to or for the benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State; *Provided*, that nothing herein contained shall be construed to prevent any candidate from mak-

ing orally or in writing, in private or public a statement as to his view, belief, opinion or position with respect to any public question or issue.

§ 2. It shall be unlawful for any person, corporation, association or other organization to request, solicit, induce or otherwise secure or attempt to secure, directly or indirectly, from any candidate, in any primary or general election, for any elective office in this State, for and in consideration of a vote or votes or influence or support or assistance of any kind or character, any promise, pledge or agreement that such candidate, if elected, will perform or refrain from performing, as the case may be, any official act to or for the benefit or advantage of such person, corporation, association or other organization, or support or oppose, as the case may be, directly or indirectly, any bill or measure pending before or to be presented to the General Assembly of this State, or the nomination, confirmation or election of any candidate for any office necessary to perfect the organization of the General Assembly of this State: *Provided*, that nothing herein contained shall be construed to prevent any person, corporation, association or other organization from making any statement, private or public, announcing his, its or their choice of candidates for any such elective office.

§ 3. Any violation of any provision of this Act shall be punishable by a fine of not less than two hundred dollars (\$200) or more than one thousand dollars (\$1,000) or by imprisonment in the county jail for a period not exceeding sixty (60) days, or both, in the discretion of the court. Any candidate for any elective office in this State who shall violate any provision of this Act, if elected to such office, shall, in addition to any other penalty or penalties imposed for the violation of any provision of this Act, forfeit all right and claim to hold such office, and such office shall be declared vacant by the court.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

PUBLICATION OF ELECTION LITERATURE.

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| § 1. Publication of anonymous printed matter relative to the candidacy of any person for nomination or election forbidden—names of individuals to appear. | § 3. Act not to apply to newspapers, magazines, or journals, or official publications. |
| § 2. Unlawful to affix name of any organization to printed matter other than as provided in this Act. | § 4. Penalties. |
| | § 5. Acts in conflict repealed. |

(HOUSE BILL NO. 789. APPROVED JUNE 26, 1917.)

AN ACT to prohibit the publication and distribution of anonymous printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office, prohibiting the circulation of such matter in the name of leagues, societies, organizations and associations, prescribing the manner in which printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office may be published and distributed, and providing a penalty for the violation of its provisions.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly: That it shall hereafter be unlawful*

for any person or group of persons, or any firm, organization, association, league or other body to publish, circulate or distribute any pamphlets, circular, handbill or other printed matter relative to the candidacy of any person or persons seeking nomination or election to any public office unless the same shall bear thereon in plain type the name and address of the person or persons; or the names and addresses of the officers of any firm, organization, association, league or other body causing such matter to be published and distributed and in the event that two or more persons join in causing said matter to be published and distributed then the names and addresses of each of such persons shall be imprinted thereon in plain type: *Provided*, that if more than ten persons shall join in publishing and distributing such matter, then it shall be sufficient if the names and addresses of ten of such persons shall be imprinted thereon as aforesaid. *And provided further*, that it shall not be necessary for any domestic corporation, in good standing and organized at least one year prior to publishing such matter, to print as aforesaid more than its full corporate name and address and the name of its chief executive officer.

§ 2. It shall hereafter be unlawful to sign or affix to any such printed matter the name or title of any firm, organization, association, league, or other body or any name or title purporting to be the name of any firm, organization, association, league or other body or to affix or attach to or upon such matter any name, title or designation other than is provided for and required by the preceding section, *provided* that the printers may be required by law or ordinance to attach to such printed matter a registry number.

§ 3. Nothing in this Act shall be construed to apply to any matter or thing published in any newspaper, magazine or journal recognized and circulating as such, which matter is published by such newspaper, magazine or journal on its own behalf and upon its own responsibility and for which it shall not charge or receive any compensation whatsoever, nor shall it apply to any publication issued by any legally constituted election officials in the performance of their duties.

§ 4. Any person who shall fail to comply with or who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars, (\$100.00) or more than five hundred dollars, (\$500.00) or confined in the county jail not longer than six months nor less than thirty days, or shall be punished by both such fine and imprisonment and each publication shall constitute a separate offense.

§ 5. All Acts or parts of Acts which are inconsistent with the provisions of this Act are hereby repealed.

APPROVED June 26, 1917.

REGISTRATION OF ELECTORS.

§ 1. Amends sections 1 and 4, Act of 1865.

§ 4. Meetings—revision of register.

§ 1. Board of registration — meetings—register.

(SENATE BILL NO. 78. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled: "*An Act for the registry of electors and to prevent fraudulent voting,*" approved and in force February 15, 1865, as subsequently amended, by amending sections one (1) and four (4) thereof, so that the said sections when amended, shall read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act for the registry of electors and to prevent fraudulent voting,*" approved and in force February 15, 1865, as subsequently amended, be and the same is hereby amended by amending sections one (1) and four (4) thereof, so that the said sections when amended shall read as follows:

§ 1. The persons authorized by law or appointed pursuant to any town or city ordinance to act as judges or inspectors of elections in any town, city or ward or other election district or precinct in this State, shall constitute a board of registry for their respective towns, cities, wards, districts or precincts, and shall meet on Tuesday, three weeks preceding any State election, at nine o'clock A. M. and proceed to make a list, as hereinafter prescribed, of all persons qualified and entitled to vote at the ensuing election, in the election district of which they are judges or inspectors; which list, when completed, shall constitute and be known as the "register" of electors of said election district. In election districts in towns which lie wholly within the limits of an incorporated city, a "register" of electors shall be made for all elections whether general, special, local or municipal, in the same manner as herein provided in the case of State elections. In counties of the third class, as classified for the purpose of fixing fees and salaries, there shall be two general registration days; the first day of such registration being on the Saturday immediately preceding the Tuesday, four weeks before such election, and the second day of registration being on Tuesday, three weeks before such election.

§ 4. The said board shall again meet on Tuesday of the week preceding the said elections, in their respective election districts, at the place designated for holding the polls of the election for the purpose of revising, correcting and completing said lists, and for this purpose in cities they shall meet at eight o'clock in the morning and remain in session until nine o'clock P. M., and in other districts they shall meet at nine o'clock in the morning and remain in session until four o'clock P. M. *Provided*, that in counties of the third class, as classified for the purpose of fixing fees and salaries, the said board of registry shall meet for the purpose of revising, correcting and completing said lists, on Tuesday, three weeks before such election.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

REGISTRATION IN CITIES OF MORE THAN 150,000—ELECTION COMMISSIONERS—INCORPORATED TOWNS.

- § 1. Application of Act — board of registry.
- § 2. Persons entitled to vote.
- § 3. General registration—Presidential election years—first registration—books—registration procedure—data required.
- § 4. Certification of registers.
- § 5. Public inspection — challenges — affidavit of person challenged—penalties—application to election commissioners by person rejected.
- § 6. Second registration day—comparison of registers—certification—verification lists — suspected names to be checked.
- § 7. Clerks to canvass precincts—police protection—penalties.
- § 8. Suspect notices to be mailed and to be delivered—board of revision — postage for mailing notices — penalties — election commissioners to investigate complaints—affidavits of mailing and delivery—perjury.
- § 9. Election commissioners to select boards of revision—to designate places of meeting — political parties to be represented—time of meeting—procedure—erasure of names — appeal to election commissioners—duties of clerks to make canvass.
- § 10. Board of revision and clerks to compare and correct registers—certification—public inspection—election commissioners to print copies for free distribution.
- § 11. Time for making application to have any name erased—affidavit —notice—privilege from arrest.
- § 12. Docket of applications for registration and erasure of names—hearing by election commissioners — subpoenas—witness — affidavits—decisions.
- § 13. County Court to hear applications for registration — application — time and character of hearing—pages of registers to be stamped — delivery of registers — orders of court no defence in case of false registration.
- § 14. Appeals to Supreme Court—appeal bond.
- § 15. Supplemental lists to be printed by election commissioners of names added or erased.
- § 16. Affidavits of absentees from hearings of suspect notices—election commissioners to pass upon affidavits — persons whose names have been changed to file affidavits.
- § 17. Proceedings applicable to all general registrations.
- § 18. Use of general registration at subsequent elections and primaries.
- § 19. Between general registrations, office of election commissioners to remain open for registration of voters, certain times excepted—board of revision to register voters for election succeeding prior election within 10 days—erasures of names — election commissioners to combine districts for registration purposes, to select boards of registry, and to designate places of registration—political parties to be represented—boards to sit on 27th and 28th days prior to elections—notice of times and places of registration—affidavits made before boards of registry to be forwarded to election commissioners —names of applicants to be entered upon registers by election commissioners — election judges to permit person removing from one precinct to another to vote.
- § 20. Registers to be compared—verification lists to be prepared and delivered to clerks of election—canvass of precincts — suspect notices — return of verification lists — penalties for neglect by clerk of duty to canvass.
- § 21. Revision of register—hearings of suspect cases—selection of board of revision — political parties — registers to be compared—certification — election commissioners to print registration lists.
- § 22. Election commissioners to hear application for restoration of names erased.
- § 23. Applications to election commissioners to have names erased—form of application—notice to be served—notice to be mailed.
- § 24. Hearings by commissioners on applications to erase names—form of answer—decisions.
- § 25. County Court to hear applications for registration or restoration to registration — docket — hearings — minutes — correction of registers by commissioners—no further changes—pages of registers to be stamped—delivery of registers to judges of election—orders of court no protection against false registration.
- § 26. Appeals to Supreme Court—time of appeal—bond.
- § 27. Supplemental lists of persons registered and of names erased to be printed.
- § 28. Bureau of Registration—political parties to be represented—managing committees to submit lists—employees to take oath of office—form of oath—prosecution for contempt, misbehavior, or neglect of duty.
- § 29. Affidavits of absentees from hearings on suspect notices—election commissioners to pass upon affidavits—change of surname—election commissioners to prepare blanks.

REGISTRATION IN CITIES OF MORE THAN 150,000—Concluded.

- § 30. Public access to registers—names and data not to be copied except upon application—restrictions.
- § 31. Election commissioners to furnish supplies—authorized to incur expenditures.
- § 32. Laws repealed.
- § 33. Penalties for enumerated offenses committed by persons registering, attempting to register, etc.
- § 34. Penalties for offenses committed by election officials.
- § 35. Penalties for stealing, destroying, defacing, and falsifying records, etc.
- § 36. Penalties for procuring offenses to be committed.
- § 37. Penalties for false swearing.
- § 38. Subornation of perjury.
- § 39. Penalties for breach of the peace.
- § 40. Penalties for bribery or molestation, etc., of election officials.
- § 41. Penalties for admitting any person unlawfully to registration.
- § 42. Penalties for judge of election absenting himself from place of registration.
- § 43. Penalties for introducing or drinking liquor at place of registration.
- § 44. Imprisonment and payment of fines.
- § 45. Duty of election commissioners in prosecutions of offenses—powers of election commissioners.

(HOUSE BILL NO. 737. FILED JUNE 28, 1917.)

AN ACT *regulating the registration of voters in cities of more than 150,000 inhabitants, having a board of election commissioners, and in incorporated towns under the jurisdiction of such board of election commissioners.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cities having a population of over 150,000 and having a board of election commissioners, and in incorporated towns under the jurisdiction of such board of election commissioners, the registration of voters shall be conducted in the manner following and not otherwise.

The judges of election shall constitute the board of registry in the precinct for which they are appointed.

§ 2. Every person having resided in the State one year, in the county ninety days, and in the election precinct thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year A. D. 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, 1870, or who shall be a male citizen of the United States above the age of twenty-one years, and women who may be entitled to vote for presidential electors and certain other officers under an Act in force July 1, 1913, shall be entitled to vote at such election.

§ 3. A new general registration shall be made by the board of registry in every year in which a presidential [presidential] election occurs and just prior thereto, the first day of such registration being on the Saturday immediately preceding the Tuesday, four weeks before such election, and the second day of registration being on Tuesday, three weeks before such election. The general registration held before and for the presidential election of November, 1916, as revised prior to the taking effect of this Act, shall be taken to be, and shall be, the first general registration for the purposes of this Act. Three registry books shall be furnished to such board of registry by the board of election commissioners for the purpose of such registration, and two of such books of registry shall be prepared substantially in the following form:

REGISTER OF VOTERS.....PRECINCT,WARD.

ELECTIONS.

461

Residence.	Name.	Nativity.	Term of residence.				Age.	Naturalized.	Date of Naturalization papers.	Court.	By Act of Congress.	Qualified voter.	Date of Application for registry.	Residence when last registered.	Why disqualified.	Eased.	Re-stored.		Remarks.
			At present Address.	Precinct.	County.	State.	United States.										By commissions.	By court.	
240 Ohio St.	Ames, Wm. J.	Mass.	6 mos.	6mos.	2 yrs.	10yrs.	25yrs.	Above the age of 21.				Yes	Oct. 5, 1885	240 Ohio St. April, 1885					
205 Ontario St.	Allen, John	England	20days	3mos.	3 yrs.	5 yrs.	7 yrs.	33 yrs.	Yes	May 27, 1871	Superior, N. Y.	Yes	Oct. 5, 1885	2500 Fifth Ave. April, 1885					
150 Dearborn Ave.	Austin, George	Georgia	3 days	3days	5 yrs.	6 yrs.	41yrs.	41 yrs.		Not known		No	Oct. 12, 1885	230 W. Adams St. April, 1885					
131 Clark St.	Anschul-et, C.	Germany	3 mos.	3 yrs.	6 yrs.	6 yrs.	6 yrs.	26 yrs.	Yes	July 1, 1863	Baltimore	Yes	Oct. 12, 1885	First Reg.					211 Ontario St., 2 mos.

One registry book, which shall be denominated "Public Register["] on the outside or on the first page, shall be prepared in such a manner as to contain only the two columns headed "Residence" and "Name." No other entries shall be made in the public register, except the statements of the names and residences of persons registered as qualified voters. Said board of registry shall then proceed as follows:

First—They shall open the registry at eight o'clock a. m. and continue in session until nine o'clock p. m. on the first day. One of the judges shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector, and your right, as such, to register and vote under the laws of this State."

Second—Each of said clerks of election, and one of said judges of election, shall have charge of the registry books, and shall make the entries therein required by this Act, and one of the judges shall ask the questions as to qualifications, and after he is through, either of the judges may ask questions. As many questions may be asked by any judge as may be deemed necessary to fully determine the qualifications of the applicant to register, and any answer that is deemed material and that is not in response to a question provided for on the register, may be stated in the column headed "Remarks." One of the judges of election may, when necessary, relieve one of the clerks, from time to time, as necessity may seem to demand, in making entries in said book.

Third—The name of every applicant shall be entered in such registry books, and all the facts shall be therein stated, as hereinafter provided, whether he be entitled to vote or not. If it shall be determined by the board that he is not a qualified voter in such precinct, then an entry shall be made in the appropriate column, "No," and if qualified an entry shall be made in the same column, "Yes."

Fourth—Only such persons of the age of twenty-one years, residing in such precinct, as apply personally, for registration, shall be entered in such registers; but every applicant who would be twenty-one years of age on the day of the next election, if otherwise qualified, shall be entered on such registers. Every applicant who has commenced to reside in such precinct at least thirty days before such election shall be entered in such registry, and shall be marked "qualified" or "disqualified," as the case may be; but unless, on the day of election, he shall have resided for thirty full days in such election precinct, he cannot vote therein, although otherwise qualified.

Fifth—The headings to the registry books shall be so prepared that the registry shall be made alphabetically, according to the surname of each person applying, but it shall be arranged so that the residences of such persons shall appear in the first column. The register shall be ruled, and one name shall be written on each line, but no name shall be written between the lines. The entries shall be as follows:

1. Under the column "Residence," the name and number of the street, avenue or other location of the dwelling, if there be a definite

number, and if there shall not be a number such clear and definite description of the place of such dwelling as shall enable it to be readily ascertained. If there shall be more than one house at the number given by the applicant as his place of residence, state in which house he resides; and if there be more than one family residing in said house, either the floor on which he resides, or the number, or location of the room or rooms occupied by him, whether front or rear; every floor below the level of the street or ground being designated as the basement; the first floor above such level being designated as the first floor and each floor above that as the second or such other floor as it may be. If there shall be a flat building or an apartment house at the number given, state the number of the flat or apartment, as the case may be, in which he resides.

2. Under the column "Name," the name of the applicant, writing the surname first, and given or Christian name after.

3. Under the column "Nativity," the state, country, kingdom, empire or dominion, as the fact stated by applicant shall be.

4. Under the sub-division of the general column "Term of "Residence," the periods by days, months or years, stated by the applicant respectively, as to "At Present Address," "Precinct," "County," "State," and "United States."

Under the sub-division headed "At Present Address," the term of applicant's residence at the street and number given, and if that period is less than thirty days prior to the day of election then the applicant shall state at what location in the same precinct he resided immediately prior thereto, and the length of time, which statement shall be entered in the column headed "Remarks."

5. Under the column "Above the age of 21," the age of applicant. Under "Naturalized," the word "Yes" or the word "No," according to the fact stated.

6. Under the column "Date of Papers," the date of naturalization, if naturalized, or about the date.

7. Under the column "Court," the designation of the court in which, if naturalized, such naturalization was had; and, if the name of the court cannot be had with certainty, then the name of the place in which such court was located.

8. Under the column "By Act of Congress," the word "Yes," in case such person, though foreign born, has been made a citizen by Act of Congress, without taking out his naturalization papers.

9. Under the column "Qualified Voter," the word "Yes" or "No," as the fact shall appear or be determined by a majority of the board of registry, it being, however, required of them to designate as a qualified voter any person who, if otherwise qualified, shall not, at the time of making application, be of age: *Provided*, the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his application, and not later than the day of election immediately following such time of applying; but no applicant shall be designated as a qualified voter who, having been challenged, has not filed with said board of registry his affidavit of qualifications, according to the provisions of this Act.

10. Under the column "Date of Application," the month, day and year when the applicant presented himself and was adjudged a qualified voter in the election precinct.

11. Under the column "Residence When Last Registered," the name and number of the street or avenue from which applicant was last registered, in the same city or town, and the month and year in which the election was held for which such registration was made. If the applicant has not previously been registered in said city or town, state "first registration."

§ 4. At the end of each day's registry, said judges shall each sign his name at the end of the list on each page, so that no new name can be added without discovery, and shall also sign a certificate, as hereinafter provided, but before doing so, the said judges and clerks shall compare the three registers so kept and cause any differences to be corrected, and to make the same agree in all respects: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of persons registered as qualified voters, and said judges shall then attach and sign at the end of each register, in substance the words and figures following:

"We, the undersigned judges of election in..... precinct of the.....ward of the city of....., in the State of Illinois, do jointly and severally certify that at the general registration of electors in said election precinct on the.....day ofthere were registered by us in the said election precinct the names which in this book are entered, and that the number of registered and qualified voters was and is the number of.....".

"Dated.....".

§ 5. Said board of registry shall, by noon of the second day following such registry, hang up the register, which shall be known as the public register, at the place of registration, which shall be accessible to the public during all business hours, and the other two registers shall be returned to the board of election commissioners within the time aforesaid. Any voter of the ward or town shall be permitted to be present at the place of registration in said ward and shall have the right to challenge any applicant who applies to be registered. And when challenged such applicant must make oath and sign an affidavit in writing, as follows:

"I do solemnly swear that I am a citizen of the United States, amyears of age, and that I have resided in the State of Illinois for the period of....., in the county of.....for the period of....., in the.....precinct of the.....ward, in the city of....., said county and State, for the period of....., and at No.....Street, in said precinct, for the period of....., and that I last registered in said city for the.....election of.....from No.....Street, and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the governor of any state)."

This affidavit shall be signed and sworn to before one of such board of registry, and it shall be preserved and returned to the office of said

election commissioners immediately. If said board of registry shall deem such affidavit sufficient, and if the board is convinced that such person is a qualified voter, then he must be admitted to such register as qualified. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oath without criticism. If any judge of election, poll clerk or other person, when such applicant has been challenged, shall designate such person upon any of the registers as a qualified voter before he has made and filed with the board of registry the affidavit of the character aforesaid, such judge of election, poll clerk, or other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment.

And any person claiming to be an elector of any election precinct in such city, and who, upon application, is denied the right to be registered as a qualified voter in such precinct, may make and sign an application in writing, under oath, to said board of election commissioners in substance in the following form:

"I do solemnly swear that I,, did onmake application to the board of registry of the.....precinct of.....ward, of the city of....., and that said board refused to register me as a qualified voter in said precinct; that I reside in said precinct, am a duly qualified voter and entitled to vote in said precinct at the next election."

All such applications shall be presented to the board of election commissioners by the applicant, in person, between the hours of nine o'clock A. M. and five o'clock P. M., not later than the Thursday immediately preceding such election.

§ 6. On Tuesday, three weeks preceding said presidential election, said board of registry shall again meet at the place designated, and said clerks of election shall meet with them, and they shall remain in session from eight o'clock A. M. until nine o'clock P. M., for the purpose of registering all qualified voters not before registered and who shall apply in person to be registered. The same form shall be observed as to applications made on the second day as are required on the first day of registry.

At the end of such day's registration the said registers shall be examined, compared and made to agree: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of the persons registered, and they shall then be signed by the judges in the same way as at the end of the first day's registry, and similar certificates shall be attached thereto.

The board of election commissioners shall furnish to the board of registry in each precinct a blank book, which shall be named "Verification Lists," each page of which shall be ruled into three columns, and shall be marked thus:

Registered Names.

Street Number	(Name)	
 Street	
.
.
.
.
.
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Such book shall contain pages sufficient to allow six pages for each street, avenue, alley and court in the precinct. During the progress of the registration, or immediately thereafter, the clerks of said board shall transfer all the names upon the register to such "Verification Lists," arranging them according to the streets, avenues, alleys or courts, beginning with the lowest residence number and placing them numerically, as near as possible, from the lowest up to the highest number. They shall first write the name of such street, avenue, alley or court at the top of the second column and then proceed to transfer the names to such "Verification Lists," according to the street numbers as above indicated.

If, during either day of registration any registered voter of the ward or incorporated town shall come before the board of registry and make oath that he believes that any particular person upon said registry is not a qualified voter, such fact shall be noted; and after the completion of such "Verification Lists" such board or one of said judges shall make a cross or check mark in ink opposite such name. If said judges shall, however, know any person so complained of is a qualified voter, and shall believe that such complaint was made only to vex and harass such qualified voter, then such cross or check mark shall not be put upon such list, but shall go upon such list in case any one of the judges desires. Said judges shall, before noon of the next day, hang up such public register at the place of registration, and within the same period of time return the other two registers to the office of said election commissioners.

§ 7. The clerks of election are hereby constituted canvassers of the precinct for which they are appointed, and upon the Wednesday and Thursday following the second day of registration, if so much time should be required, said two clerks shall go together and canvass such precinct, calling at each dwelling place or each house where everyone may reside in such precinct, and each dwelling place as indicated upon said "Verification Lists," and if they shall find that any person upon their "Verification Lists" does not reside at the place designated thereby, they shall make a check mark or cross X opposite such name.

Whenever deemed necessary by said canvassers, or either of them, he or they may demand of the superintendent, captain, lieutenant or

other person having command of the police in such portion of the city or town, to furnish a policeman to accompany them and protect them in their duties, when necessary; and it shall be the duty of such superintendent, captain, lieutenant or other person having authority over such police in such locality, to furnish a policeman for such purpose, and in default thereof such superintendent, captain, lieutenant or other person shall be deemed guilty of a misdemeanor under this Act, and shall be liable to a penalty not exceeding one hundred dollars nor less than twenty-five dollars. If, in making such canvass any person shall refuse to answer questions and give the information asked for, and known to him or her, or shall wilfully and knowingly give false information, or make false statements, such person shall be guilty of a misdemeanor under this Act, and shall be liable to a penalty not to exceed one hundred dollars. In making such canvass, said canvassers shall make special inquiry at the residences as designated in the registry and "Verification Lists" as to all the persons so registered as qualified voters and shall receive information from judges and party canvassers.

§ 8. Immediately upon the completion of such canvass, said canvassers, or one of them, shall sign a notice and send the same through the United States mail, duly stamped, to the address given upon the registry and "Verification Lists," of all persons named therein against whose names they have made a cross or check mark, indicating that they did not reside at such place as before stated, and also to the address of all persons against whose names said registry board or judge of election has placed a check mark or cross in such "Verification Lists," which notice shall require such person to appear before the board of revision upon the Saturday following, giving the time and place of such session, and to show cause why his name should not be erased from such registry. Proper blanks and postage stamps shall be furnished for the purpose of said canvassers by the board of commissioners. A similar notice shall be also served by one of the said canvassers either at the time such canvass is being made or before the following Saturday, by leaving the same with the party, if found, or if he is not found at the place designated in such registry and "Verification Lists," by leaving the same at such address if there be such a place. Such notice, to be sent through the mail, must be mailed not later than 12 o'clock Friday noon of the week of such canvass. If sufficient postage stamps are not delivered to such canvassers by said board for the purpose aforesaid, then anyone may furnish such postage stamps to such canvassers for that purpose, or such canvassers may procure the same at their own expense and afterwards render an account therefor to said commissioners, duly sworn to, and it shall be the duty of the said commissioners to audit such account and cause the same to be paid. It shall be the duty of such commissioners, upon application, to deliver to such canvassers postage stamps sufficient for the purpose aforesaid, when not delivered before, and it shall be the duty of such canvassers, or one of them, to apply to said commissioners for such postage stamps, if sufficient number have not been delivered to them for the purpose aforesaid, and any wilful neglect of said canvassers to make application for sufficient postage stamps as

aforesaid, and any willful neglect of such canvasser to mail the notice aforesaid to all of the parties checked and designated as aforesaid, and the willful neglect of such canvassers to leave the notice aforesaid at the place designated for such person so designated, and any willful neglect to check the name of any person on said "Verification Lists" transferred from the registry as aforesaid and not found at the place designated, and any willful neglect to transfer all the names from the registry as aforesaid to such "Verification Lists," in the manner aforesaid, shall be deemed a misdemeanor, and such canvasser, or canvassers shall be punished, upon conviction thereof, by imprisonment in the county jail for not less than one month nor more than one year, and such canvassers shall also be liable to be punished by the County Court of the proper county as for contempt, and be fined not less than fifty dollars, or imprisoned in the county jail by such court for a period not exceeding one hundred days or both, in the discretion of the court. And it shall be the duty of said board of election commissioners, when complaint is made to them, to investigate the action of such clerks or canvassers, and to cause them to be brought before such County Court and to prosecute them as for contempt, and also, at their discretion, to cause them to be prosecuted criminally for such willful neglect of duty. Said canvassers, or one of them, shall make out a list of the names of the parties checked and designated as aforesaid and to whom such notice has been sent, given or left, with the address, and make and attach his or their affidavit or affidavits thereto stating that notice duly stamped was mailed to each of said parties at the places designated on such list at or prior to 12 o'clock noon of the previous Friday, and that notice was also personally left at the said address of each of said parties named in said list so attached, if there be any such address, and said canvassers shall file such list and affidavits, together with the verification list, in the office of the election commissioners prior to 6:00 o'clock P. M. on the Friday previous to revision. Blank affidavits shall be furnished by said commissioners for the purposes aforesaid, but if none are furnished, such canvassers shall cause the same to be drawn and they shall swear to such affidavits before one of the judges of such precinct. If either of said canvassers shall wilfully neglect and fail to make such affidavit with the list aforesaid attached, he shall be punished in the same manner as last above provided, and if such affidavits shall be wilfully false the maker thereof shall also be punished in the manner last aforesaid and shall also be liable for perjury.

§ 9. The board of election commissioners shall designate convenient and accessible places in each ward and incorporated town at which the board of revision shall sit, and shall designate which precinct shall be combined for the purposes of revision at a single place as herein provided, but shall not combine less than five nor more than ten precincts contiguous to each other for revision at the same designated place. Said board of election commissioners shall select three judges and two clerks of the precincts combined for the purpose of revision to act as a board of revision. One of such judges and one of such clerks shall be affiliated with the leading political party represented by the minority of

all commissioners of said board of election commissioners and two of such judges and one of such clerks shall be affiliated with the other leading political party represented by such board of election commissioners. If there should be three political parties represented in said board of election commissioners, then each of said parties shall have one representative as judge on each such board of revision. The board of election commissioners shall deliver to one of the judges of such board of revisions, not later than the hour designated for the opening of a session of such board of revision, all the registers, verification lists, statements and affidavits of canvassers for the precincts for which such board of revision shall act. On the Saturday night following the Tuesday three weeks preceding such presidential election, said board of revision shall meet at the place designated and shall remain in session from 6 o'clock P. M. to 10 o'clock P. M. for the sole purpose of revising their registry and no new names shall be added.

If any person to whom such notice has been sent shall appear before the board of revision during the session, he shall make oath and sign an affidavit, in substance, as follows:

"I do solemnly swear that I am a citizen of the United States, and that I have resided in the.....precinct of the.....ward in the city of.....and the county of.....and the State of Illinois, since the.....day of.....and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the Governor of any state.)"

This affidavit shall be signed and sworn to before one of such board of revision, and it shall be preserved and filed in the office of said election commissioners. Thereupon said board of revision shall further examine him, and shall also swear any witnesses, and hear them upon the question, and they shall also have the power to send one or both of said clerks to make further examination, and inquire at the place claimed by such person to be his residence, and examine such clerks touching the same; and if, after such further examination and hearing, the majority of said board are of the opinion that such person is not a qualified voter in such precinct, they shall mark the word "yes" under the column of the register marked "Erased" and shall also draw a line in ink under his name, which memorandum, in case of any registration, shall indicate that the name of such person is erased from the register, and such person shall not be entitled to vote unless his name be restored as hereinafter provided. At the close of said session, if any person so notified to appear at such session has not appeared and shown cause why his name should not be erased from such registry, the same shall be erased in the manner aforesaid. Any person having appeared at said session and whose name has been so erased may make application in writing under oath to the election commissioners not later than the Thursday immediately preceding such election, between the hours of nine o'clock A. M. and six o'clock P. M., to be restored to such register. Either of the clerks shall have the power and right of both in the matter pertaining to such canvass; but in case either refuse or neglects to go and make

such canvass, as aforesaid, then the other may make such canvass alone. But a clerk who wilfully neglects to perform his duty in making such canvass shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned in the county jail not exceeding sixty days nor less than thirty days, and shall also be deemed guilty of a contempt of court, and be punished accordingly as an officer of said County Court. In case of temporary disability on the part of either canvasser or clerk, the judge who belongs to the same party may appoint a temporary clerk or canvasser, who shall belong to the same party, and administer to him the usual oath of office, and he shall perform all the duties of the office until the disability of the regular clerk or canvasser is removed. The "Verification Lists," statements and affidavits aforesaid, after the final revision, shall be at once returned by the board of revision to the board of election commissioners.

§ 10. At the end of the last session above provided for, the said board of revision, and said clerks shall compare and correct the three registers aforesaid and make them correspond and agree: *Provided*, that no additional statements shall be entered in the public register other than the names and residences of persons registered as qualified voters, and said judges shall then, immediately following the last name on each page of the register, sign their names so that no other names can be added without discovery, and shall add the certificate as provided at "the close of the sessions of the boards of registry." Not later than noon of the following day said board of registry shall hang up each of the registers known as the public registers in the place of registration in the respective precincts for the use of the public and shall return the other two registers to the board of election commissioners not later than noon of the following day. And thereupon, the said board of commissioners shall at once cause copies to be made of such registers of all the names of qualified voters upon the same with the address, not marked erased, and shall have the same arranged according to the streets, avenues, courts or alleys, commencing with the lowest number, and arranging the same in order according to the street numbers, and shall then cause such precinct register, under such arrangement, to be printed in plain, large type in sufficient numbers to meet all demands, and upon application a copy of the same shall be given to any person in such precinct.

§ 11. Any voter or voters in the ward or town containing such precinct, may, between the hours of nine o'clock A. M. and six o'clock P. M. of Monday and Tuesday of the week immediately preceding the week in which such election is to be held, make application, in writing, before such board of election commissioners, to have any name upon such register of any precinct in the ward erased, which application shall be, in substance, in the words and figures following:

"I (or we)do hereby solemnly swear (or affirm) that I (or we) have made diligent inquiry and canvass, and believe that.....is not a qualified voter in.....precinct of.....ward of the city (or town) of....."

hence I (or we) ask that his name be erased from the register of such precinct."

Such application shall be signed and sworn to by the applicant and filed with said board. Thereupon notice of such application, with a demand to appear and show cause why his name shall not be erased from said registry, shall be personally served upon such person or left at his place of residence, named in such registry, by a messenger of said board of commissioners, and, as to the manner and time of serving such notice, such messenger shall make affidavit; such messenger shall also make affidavit of the fact, in case he cannot find such person or his place of residence, and that he went to the place named on such register as his place of residence. Such notice shall be served at least one day before the time fixed for such party to show cause. Said commissioners shall also cause a like notice or demand to be sent by mail, duly stamped and directed, to such person, to the address upon said registry at least two days before the day fixed in said notice to show cause. Any voter making such application or applications shall be privileged from arrest while presenting the same to the board of election commissioners, and while going to and returning from the board of election commissioners.

§ 12. A docket of all applications to said commissioners, whether such applications shall be made for the purpose of being registered or for the purpose of erasing a name on the register, shall be made out in the order of the wards and precincts. The commissioners shall sit to hear such applications between the hours of ten o'clock A. M. and nine o'clock P. M., on the Tuesday, Wednesday and Thursday immediately preceding such election. At the request of either party to such applications, the commissioners shall issue subpoenas to witnesses to appear at such hearings, and witnesses may be sworn and examined by the commissioners upon the hearing of said applications. Each person appearing in response to an application to have name erased shall deliver to the commissioners a written answer, which shall be, in substance, in the words and figures following:

"I do solemnly swear that I am a citizen of the United States, that I have resided in the State of Illinois since the.....day ofand in the county of....., said State, since the.....day of....., and in theprecinct of the.....ward, in the city of....., said county and State, since the.....day of....., and that I am.....years of age; that I am the identical person registered in said precinct under the name I subscribe hereto."

This answer shall be signed and sworn to before one of the commissioners, and it shall be preserved and filed in the office of the commissioners. They shall take up the wards and precincts in their numerical order. The decision of each application shall be announced at once after hearing, and a minute made thereof, and when an application to be registered or to be restored to such register shall be allowed, the said board shall cause the same to be made upon the two registers of said precinct so in its possession. And where an application to erase a name shall be allowed, said board shall cause the same to be erased forthwith[.]

§ 13. The County Court of the county in which such city or incorporated town shall be located shall, on Friday and Saturday of the week prior to the week in which such presidential election is to be held, especially sit to hear such applications as shall be made to it to be placed upon the register in any particular precinct. Such application shall be sworn to, and shall state that the party making the same has applied to the board of registry of the precinct and to the board of election commissioners, and that one or both boards refused to place him upon such registry, or has stricken his name from such registry, as the case may be. Application shall be made on or before the opening of the court on the Friday last aforesaid, and the court shall cause a docket of such applications to be made out, arranged by wards and precincts, and the same shall be heard summarily and evidence may be introduced for and against such applications. Each case shall be decided at once on hearing, and the clerk of the court shall make a minute of the disposition of each application; a copy of such minute shall at once be given to said commissioners, who shall forthwith cause such names to be placed upon the appropriate register, and indicate that it was entered by order of court. After the entry of the applications, so allowed by said court, no further change shall be permitted, and the appropriate stamp prepared shall be affixed to the end of each page of names in each precinct registered by said board of commissioners. Said books of registry so prepared shall, on the day prior to the election, be delivered to the judges of election, one only, however, to be delivered to the judge or judges representing the same political party. No person admitted to the registry by order of such court or such board shall be protected by such order in case he should be indicted for false registration or false voting.

§ 14. In case said County Court shall refuse any such application an order shall be entered accordingly on the Wednesday following the session of the court held for the purpose aforesaid, and any person desiring to appeal from the said order may appeal to the Supreme Court of the State, if application be made therefor within five days after the entry of said order, and such appeal shall be allowed on the giving of an appeal bond in the penalty of \$250.00, conditioned to pay the expenses of such appeal. The time for filing such appeal bond and certificate of evidence shall be fixed by the court, and upon presentation to the court of a certificate containing the evidence heard at such hearing, within the time fixed by the court, the court shall sign the same, and thereupon the same shall become part of the record in said cause.

§ 15. A supplemental list of all persons who shall have been registered by order of said board, or by order of such County Court, and a supplemental list of all persons erased from such registry by order of said board of commissioners or of said County Court, of sufficient quantity to accommodate each precinct, shall be printed by such board; and thereupon, on the day of election, said board shall cause to be posted up at each precinct where such election is to be held, the original printed registry and supplemental lists aforesaid, and shall also cause a copy thereof to be delivered to each judge and clerk, and to all other persons of the ward or town demanding the same.

§ 16. If any qualified elector who has been registered shall be absent from the county in which he is registered and resides on the day of the hearing of suspects or on the days of the hearing of applications to erase names, he may appear before any judge or clerk of any court of record, or notary public, or if in a foreign country, before any minister, consul or vice-consul of the United States, or before an officer of the bureau of registration, and may make and subscribe an affidavit as to his residence, specifying in what ward and precinct he resides and is registered and stating the street and number of his residence; that he was necessarily and unavoidably absent from said county and city of his residence on the day of revision or hearing of suspect notices, or on the days of the hearings of applications to erase names, and setting forth in such affidavit all the matters required for the obtainment by him of original registration. He shall forward such affidavit, duly authenticated as above, by mail addressed to the board of election commissioners of such city, or shall deliver such affidavit in person to such board, who shall file and preserve the same; and thereupon if upon the consideration of such affidavit and of such other evidence as may be obtained by them, said board of election commissioners shall be satisfied that such affiant is the person so registered and is a qualified voter in such precinct, his name shall be established of record by them as a qualified voter in such precinct. Such affidavits must be filed and the names established not later than the Friday preceding the election.

Whenever any elector between the dates of the general registration shall have lawfully changed her surname by change or assumption of marital relations, she shall be entitled to have her registered name changed upon the registry list to conform to her new surname by making an additional and amendatory affidavit before the election commissioners and filing the same in said office and thereupon, if the board of election commissioners shall be satisfied that the affiant is the same person originally upon the registry and a qualified voter in the precinct and ward the surname of such qualified voter shall be changed upon the registry accordingly.

The election commissioners shall provide the proper blanks for the foregoing affidavits to be filed by the absentee voters and by persons whose names shall have been so changed and such affidavit shall be uniform as to all voters respectively; and shall alone be used.

§ 17. Every general registration and all proceedings in connection therewith shall be made in the same manner and in conformity with directions heretofore given,

§ 18. At all elections and primary elections held in any such city or incorporated town, between the general registrations herein provided for, the preceding general registration shall be used, but the same shall be revised and added to as hereinafter provided for.

§ 19. For the purpose of enabling voters to become registered between said general registrations the office of the board of election commissioners of any such city or incorporated town shall remain open from the hour of nine o'clock A. M. until nine o'clock P. M. on each day (except Sundays and legal holidays) subsequent to the last preceding

primary or election day until and including the thirtieth day prior to the next succeeding primary or election day and on said thirtieth day said offices shall remain open from nine o'clock A. M. until eleven o'clock P. M., provided that when a primary or election shall be held within ten days succeeding any other primary or election no registration shall be allowed at the offices of the board of election commissioners after the thirtieth day preceding the prior primary or election, but any qualified elector may register at the places designated for the purposes of registration at the session of the board of revision as hereinafter provided for. The board of revision shall indicate on the affidavits and registers that such person so registering is not a qualified voter for the next succeeding primary election but is a qualified voter for the primary or election falling within ten days after the next succeeding primary or election. Such names so registered by the board of revision shall be deemed to be qualified voters unless erased from the registers by the board of election commissioners or the County Court in like manner and upon such proceedings as is herein provided for the hearings of applications to erase names from the registers. And in addition thereto said board of election commissioners shall designate convenient and accessible places in each ward and incorporated town at which such voters may apply for registration. The board of election commissioners shall designate which precincts shall be combined for the purposes of registration at a single place as herein provided, but shall not combine less than five nor more than ten precincts contiguous to each other for registration at the same designated place. Said board of election commissioners shall select three judges and two clerks of election from the judges and clerks of the precincts for which a board of registry is to sit to act as a board of registry for each and every two of the designated places of registration. One of such judges and one of such clerks shall be affiliated with the political party represented by the minority of the commissioners on the board of election commissioners and two of such judges and one of such clerks shall be affiliated with the other political party represented on such board of election commissioners. If there should be three political parties represented on such board of election commissioners then each of such parties shall be entitled to one judge on such board of registry. Such board of registry shall sit one evening at each of two places so designated from six o'clock P. M. until ten o'clock P. M. on the twenty-seventh and twenty-eighth days preceding any primary or election for the purpose of registering such voters as may apply for registration. Said board of election commissioners shall give notice of the times and places of such registration by posting at least one week prior to the first day of said ward registration ten notices thereof in as many conspicuous places in each precinct and one notice at each place designated as a place of registration and by publishing [publishing] notice thereof in three or more newspapers in general circulation in such city or incorporated town for at least one week preceding the first day of said ward or town registration.

Said boards of registry shall immediately at the close of each day [day's] registration and not later than noon of the day following, return

all affidavits received by them to the board of election commissioners and shall make oath that the affidavits so returned are the identical affidavits executed by persons applying to them for registration; that such affidavits are all the affidavits so executed before them and no others.

All persons who are or will be, at or before said succeeding primary or election, qualified voters in the precincts in which they desire to vote, may make applications, under oath, and in person, to such board of election commissioners to be registered, applying therefor at the offices of said board or at the places designated in the various wards and towns during the time aforesaid. Each applicant for registration must take oath to and sign an affidavit setting forth full information as to his or her qualifications in like manner and to the same extent as is required at general registrations. Upon the filing of such affidavits the board of election commissioners shall cause the name of such applicant, together with the other facts set forth in such affidavit, to be at once entered in the registers of the precinct in which such address is located and if the name of such applicant appears upon the registers of any other precinct, as shown by such affidavit, said board shall forthwith erase the same from the registers of such other precinct. The public registers shall not be posted in the various precincts but shall be kept at the offices of the board of election commissioners and shall be open to the public at all times.

If a voter already registered removes from one place to another in the same precinct during the time aforesaid, he or she shall apply to said board of election commissioners at its offices or the places designated in the various wards and towns, on or prior to said twenty-seventh day and make oath as to such removal, and the registers shall be corrected accordingly, otherwise such persons cannot vote: *Provided*, that any voter, making such removal subsequent to said twenty-seventh day and preceding the next ensuing primary or election, may make oath before one of the judges of such precinct that he is the identical person whose name appears upon the registers as having been registered at some other place in such precinct (naming the place) and giving the day of his or her removal (which shall be subsequent to said twenty-seventh day,) and such statement shall be verified by two householders residing in such precinct that he is the identical person so registered at such other place in the precinct, whereupon such judges of election, if they believe [believe] him to be the same person so registered at such other place, and that he made the removal at the time specified in such sworn statement, shall receive his vote.

§ 20. Immediately after the said twenty-seventh day, or as soon as all entries have been made from the affidavits aforesaid, said registers shall be compared and made to agree, and the said board of election commissioners shall cause all the names and addresses upon the registers of each precinct to be transcribed into verification lists in the same manner as is provided at the general registration, and not latter [later] than twenty-second day preceding the election or primary, as the case may be, such board shall deliver such verification lists to the clerks of election for each precinct, and upon the twenty-first day or the day fol-

lowing, the clerks of election shall canvass their respective precincts in the same manner and with like power as is provided for general registrations and such clerks of election shall serve notices personally and by mail in like manner as provided for general registrations and shall have the same powers and be subject to the same penalties as at general registrations. The notices served hereunder shall require the person to whom such notice shall be directed to appear before the board of revision upon the Saturday following, giving the time at which such board of revision shall be in session and the place where such board of revision shall sit, to show cause why his name should not be erased from the registry. Such clerks shall immediately at the close of such canvass deliver their verification lists, together with a list as required at general registrations, of the names of the parties to whom notices have been sent and the manner of giving such notices to the board of election commissioners and make oath as to the correctness thereof and the completeness of such canvass. Either of the clerks of any precinct shall have the right and power of both in the matter pertaining to the canvass, then the other may make such canvass alone. A clerk who wilfully neglects to perform his duty in making such canvass shall be deemed guilty of a misdemeanor and on conviction shall be imprisoned in the county jail not exceeding sixty days nor less than thirty days and shall also be deemed guilty of a contempt of court and be punished accordingly as an officer of the County Court. In case of temporary disability on the part of either canvasser or clerk, the judge of election who belongs to the same party may appoint a temporary clerk or canvasser who shall belong to the same party and administer to him the usual oath of office and he shall perform all the duties of the office until the disability of the regular clerk or canvasser is removed.

§ 21. On the Saturday following the Tuesday three weeks preceding any primary or election, three judges and two clerks of election of the precincts combined for the purpose of intermediate registration as herein provided, shall meet at the place provided for such intermediate registration and they shall remain in session from six o'clock P. M. to ten o'clock P. M. for the sole purpose of revising the registry and no new names shall be added except as provided in section 19 of this Act. If any person to whom notice has been given as herein provided shall appear before said board of revision during the session he shall make oath and sign an affidavit in substance as follows:

"I do solemnly swear that I am a citizen of the United States and that I have resided in the.....precinct of the.....ward, in the city of.....(or incorporated town of.....) and the county of.....and the State of Illinois, since the.....day of....., and that I have never been convicted of any crime (or if convicted state the time and when pardoned by the Governor of any state)."

This affidavit shall be signed and sworn to before one of such judges of election and it shall be preserved and filed in the office of said election commissioners. Thereupon said board of revision shall further examine him and shall also swear such witnesses as may appear, and

hear them upon the question, and they shall also have the power to send one or both of said clerks to make further examination and inquiry at the place claimed by such person to be his residence and examine such clerk touching the same, and if after such examination and hearing the majority of said board are of the opinion that such person is not a qualified voter in his precinct they shall mark the word "yes" in the column of the register marked "erased" and shall also draw a line in ink under his name, which memorandum, in case of any registration, shall indicate that the name of such person is erased from the registry and such person shall not be entitled to vote unless his name be restored as hereinafter provided. At the close of such session if any person so notified to appear at such session has not appeared and shown cause why his name should not be erased from the registry, the name shall be erased in the manner aforesaid.

The "Verification Lists" aforesaid, after the final revision, shall be at once returned by the board of revision to the board of election commissioners. The board of election commissioners shall select the judges and clerks to act as the board of revision as herein provided. One of such judges and one of such clerks shall be affiliated with the leading political party represented by a minority of all commissioners in said board of election commissioners and two of such judges and one of such clerks shall be affiliated with the other leading political party represented by such board of election commissioners. If there should be three political parties represented in said board of election commissioners then each of said parties shall have one representative as judge in each such board of revision. The board of election commissioners shall deliver to one of the judges of such board of revision, not later than the hour designated for the opening of the session of such board of revision all the registers and verification lists for the precincts for which such board of revision shall act. At the end of the session of the board of revision such board of revision shall compare and correct the registers and make them correspond and agree, and such board of revision shall then immediately following the last name on each page of the registry sign their names so that no other name can be added without discovery and shall add the certificate as provided at general registrations and thereafter and not later than noon of the next day, said board of revision shall return the registers to the possession of the board of election commissioners and thereupon the said board of commissioners shall at once cause copies to be made of such registers of all names upon the same with the addresses not marked erased and shall have the same arranged according to the streets, avenues, courts or alleys, commencing with the lowest number and arranging the same in order according to the street numbers and shall then cause such precinct registers under such arrangements to be printed in plain, large type in sufficient numbers to meet all demands and upon application therefor, a copy of the same shall be given to any person in such precinct.

§ 22. Any voter of a precinct whose name may be improperly erased from the registers by reason of any defect in notice, insufficiency of address or other reason, may apply personally in writing under oath

to said board of election commissioners for restoration to the registers. Such applications may be filed between the hours of nine o'clock A. M. and six o'clock P. M. not later than the fourth day preceding such primary or election and said board shall sit to hear any such applications between the hours of ten o'clock A. M. and nine o'clock P. M. on the fourth, fifth and sixth days preceding such primary or election and if the facts show that such voter actually and in truth resides at the address indicated on the registers his or her name shall be restored to the registers forthwith.

§ 23. Any voter of a ward or town containing such precinct, may, between the hours of nine o'clock A. M. and six o'clock P. M., not later than the seventh day preceding an election or primary, make application, in writing before such board of election commissioners to have any name upon such registers of such precinct erased, which application shall be in words and figures as follows:

"I (or we).....do solemnly swear (or affirm) that I (or we) have made diligent canvass and inquiry and that I (or we) believe that.....is not a qualified voter in the.....precinct.....ward of the city (town) of....., and hence I (or we) ask that his name be erased from the registers of such precincts." Such application shall be signed and sworn to by the applicant and filed with said board. Thereupon notice of such application, with demand to appear and show cause why his name shall not be erased from said registers, shall be personally served upon such person or left at his place of residence, named in such registry, by a messenger of such board of election commissioners, and, as to the manner and time of serving such notice, such messenger shall make affidavit; said messenger shall also make affidavit of the fact, in case he cannot find such person at his place of residence, and that he went to the place named on such registers as his place of residence. Such notice shall be served at least one day before the time fixed for such party to show cause. Said board shall also cause a like notice or demand to be sent by mail duly stamped and directed, to such person, to the address upon said registry at least two days before the day fixed in said notice to show cause.

§ 24. The board of election commissioners shall sit to hear such applications between the hours of ten o'clock A. M. and nine o'clock P. M. on the fourth, fifth and sixth days preceding the election or primary, as the case may be.

At the request of either part [party] to such application, said board shall issue subpoenas to witnesses to appear at such hearings, and witnesses may be sworn and examined by the commissioners upon such hearing. Each person appearing in response to an application to have name erased shall deliver to the commissioners a written answer, which shall be, in substance, in words and figures, as follows:

STATE OF ILLINOIS,

.....COUNTY. ss.

"I do solemnly swear that I am a citizen of the United States, that I have resided in the State of Illinois since the.....day of

....., and in the county of.....
 and said State since the.....day of.....,
 and in the.....precinct of the.....ward, in the city
 of....., said county and State, since the.....
 day of....., and that I am.....years
 of age; that I am the identical person registered in said precinct under
 the name I subscribe hereto.”

This answer shall be signed and sworn to before one of the commissioners and shall be preserved and filed in the office of said board. The decision of each application shall be announced at once after hearing and a minute thereof made, and when an application to erase a name be allowed said board shall cause the same to be erased upon the two registers of said precinct accordingly.

§ 25. The County Court of the county in which such city or incorporated town is located shall on the third and fourth days preceding any election or primary especially sit to hear such applications as may be made to it to be placed upon the registers of any particular precinct. Such application shall be sworn to, and shall state that the party making the same has applied to the board of election commissioners and been refused registration, or has been improperly erased from the registry list by such board of election commissioners, as the case may be. Applications shall be made on or before the opening of court on either of the days aforesaid, and the court shall cause a docket of such applications to be made out arranged by wards and precincts, and the same shall be heard summarily and evidence may be introduced for and against such applications. Each case shall be decided at once on hearing, and the clerk of the court shall make a minute of the disposition of each application, a copy of which shall at once be given to said commissioners, and in case any name is to be restored to the registry, said commissioners shall forthwith cause such name to be placed upon such registers for the proper precinct and indicate that it was entered by order of court. After the entry of such applications, so allowed by said court, no further change shall be permitted and an appropriate stamp shall be fixed at the end of each page of names where names have been added by either the board of election commissioners or said court. Said books of registry so prepared shall, on the day prior to the election or primary, be delivered to the judges of election, one only, however, to be delivered to the judge or judges representing the same political party. No person admitted to the registry by order of such court or such board shall be protected by such order in case he should be tried under indictment or otherwise for false registration or false voting.

§ 26. In case said County Court shall refuse any such application an order shall be entered accordingly and any person desiring to appeal from the said order may appeal to the Supreme Court of the State, if application be made therefor within five days after the entry of said order and such appeal shall be allowed on the giving of an appeal bond in the penalty of \$250.00, conditioned to pay the expenses of such appeal. The time for filing such appeal bond and certificate of evidence shall be fixed by the court and upon presentation to the court of a certificate

containing the evidence heard at such hearing, within the time fixed by the court, the court shall sign the same, and thereupon the same shall become a part of the record in said cause.

§ 27. A supplemental list of all persons who shall have been registered by order of said board or by order of County Court, and a supplemental list of all persons erased from such registry by order of said board of commissioners or of said County Court of sufficient quantity to accommodate each precinct shall be printed by such board and thereupon on the day of election said board shall cause to be posted up at each precinct where such election is to be held the original printed registry and supplemental list aforesaid and shall also cause a copy thereof to be delivered to each judge and clerk and to all other persons of the ward, village or town demanding the same.

§ 28. In order more fully to carry out and effectuate the intent of this Act said board of election commissioners shall cause to be constituted from among its employees a bureau of registration which shall have immediate charge of all matters and records pertaining to the registration of voters in the offices of said board, under the supervision and control of said board and its chief clerk. Such bureau [shall] consist of a superintendent and assistant superintendent and such number of other employees as may be necessary to carry out the work of registration in the offices of such board as provided in this Act. Said superintendent shall be a member of the leading political party represented by a majority of the commissioners on said board and said assistant superintendent shall be a member of the leading political party represented by the minority member of said board; and the remaining employees constituting such bureau shall be apportioned between said two leading political parties in the proportion of two members of the leading political party represented by a majority of the commissioners on said board to one member of the leading political party represented by the minority member of said board. The superintendent, assistant superintendent, and other employees in the bureau of registration shall be selected by the board of election commissioners from lists of three or more names for each office or position to be filled, such lists to be submitted to the board by the managing committees of the respective two leading political parties in the city within ten days after notice to either of such committees that a vacancy exists which is to be filled by a person who is affiliated with the party represented by such committee. Said superintendent, assistant superintendent and employees constituting such bureau of registration shall take an oath of office before the judge of the County Court of such county as follows:

"Ido solemnly swear or affirm) that I am a citizen [citizen] of the United States and that I am a legal voter in the city of.....in the State of Illinois. That I will support the laws and Constitution of the United States and of the State of Illinois, and that I will faithfully and honestly discharge the duties imposed upon me by the board of election commissioners as a member of the bureau of registration of the board of election commissioners, according to the best of my ability."

Such oath shall be filed of record in said County Court and such employees shall thereupon become officers of the County Court, and shall be liable in a proceeding for contempt for any misbehavior or neglect of duty, to be tried in open court on oral testimony in a summary way, without formal pleadings, and in addition thereto shall be subject to the same penalties and punishments as are now provided by law for the commission of crimes or misdemeanors on the part of judges or clerks acting as a board of registry at general registrations.

§ 29. If any qualified elector who has been registered shall be absent from the city or incorporated town in which he is registered and resides, on the day of the hearing of suspects or on the days of the hearing of application to erase names, he may appear before any judge or clerk of any court of record, or notary public, or if in a foreign country before any minister, consul or viceconsul of the United States, or before an officer of the bureau of registration, and may make and subscribe an affidavit as to his residence, specifying in what ward and precinct he resides and is so registered and stating the street and the number of his residence; that he was necessarily and unavoidably absent from said city or town of his residence on the day of revision or hearing of suspect notices, or on the days of the hearings of applications to erase names, and setting forth in such affidavit all the matters required for the obtainment by him of original registration; and he shall forward such affidavit duly authenticated as above by mail addressed to the board of election commissioners, or shall deliver such affidavit in person to such board, who shall file and preserve the same; and thereupon if upon the consideration of such affidavit and of such other evidence as may be obtained by them, said board of election commissioners shall be satisfied that such affiant is the person so registered and is a qualified voter in such precinct, his name shall be established of record by them as a qualified voter in such precinct. Such affidavits must be filed and the names established of record not later than the fourth day preceding the election or primary.

Whenever any elector between the dates of the general registrations shall have lawfully changed her surname by change or assumption of marital relations she shall be entitled to have her registered name changed upon the registry lists to conform to her new surname by making an additional or amendatory affidavit before the election commissioners and filing the same in said office, and thereupon, if the board of election commissioners shall be satisfied that the affiant is the same person originally upon the registry and a qualified voter in the precinct and ward the surname of such qualified voter shall be changed upon the registry accordingly.

The election commissioners shall provide the proper blanks for the foregoing affidavits to be filed by absentee voters and by persons whose names shall have been so changed and such affidavit shall be uniform as to all voters respectively; and shall alone be used.

§ 30. The public shall not have access to the registers or to the affidavits filed for registration except in the presence of a clerk of the election commissioners, and under the direction of the chief clerk.

Any judge or clerk of election, or other person, who shall copy any statement contained in any register or affidavit provided for in this Act, or permit other persons to do so while such registers or affidavits are in his possession; or shall give to any person information contained in any register or affidavit to assist or aid any persons to do an act by law forbidden or in this Act constituted an offense, shall upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three (3) months nor more than twelve (12) months provided that copies of the names and addresses of the voters, together with one answer for each voter from among all the answers as to qualification written after the name of the voter in the registers can be made in the office of the board of election commissioners. Application to copy the names and addresses and one reply or answer (the one reply or answer desired being specified in the application) must be made to the board of election commissioners, but such copying cannot be done at any time within forty (40) days preceding nor thirty (30) days succeeding an election or primary.

§ 31. The board of election commissioners shall furnish all necessary forms, blanks, stationery, supplies, etc., proper and necessary to carry out the provisions of this Act; and the said board is hereby authorized to incur and make all expenditures for costs, compensations, salaries, fees and other expenses necessary to carry into effect the provisions of this Act; and payment thereof shall be made in the same manner as in [is] now or many [may] hereafter be provided by law for like expenditures of said board.

§ 32. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed as to such cities and incorporated towns. But all laws and parts of laws not inconsistent with the provisions of the Act shall continue in full force and effect, and be applicable to the registration of voters in any such city or incorporated town.

§ 33. If any person shall falsely personate an elector [elector] or other person, and register, or attempt or offer to register, in the name of such elector or other person;

Or if any person shall knowingly or fraudulently register or offer, or attempt, or make application to register, in, or under the name of, any other person, or in, or under any false, assumed or fictitious name, or in, or under any name not his own;

Or shall knowingly or fraudulently register in two election precincts;

Or, having registered in one precinct, shall fraudulently attempt or offer to register in another;

Or shall fraudulently register or attempt, or offer, to register in any election precinct, not having a lawful right to register therein;

Or shall knowingly or willfully do any unlawful act to secure registration for himself or any other person;

Or shall knowingly, willfully or fraudulently, by false personation or otherwise, or by any unlawful means cause or procure, or attempt to cause or procure, the name of any qualified voter, in any election precinct, to be erased or stricken from any registry of the voters of such

precinct, made in pursuance of this Act or otherwise, as in this Act provided;

Or by force, threat, menace, intimidation, bribery, reward or offer, or promise thereof, or other unlawful means, prevent, hinder or delay any person, having a lawful right to register or be registered, from duly exercising such right;

Or shall knowingly, willfully or fraudulently compel or induce, or attempt, or offer to compel or induce, by such means, or any unlawful means, any judge of election or other officer of registration in any election precinct to register or admit to registration any person not lawfully entitled to registration in such precinct;

Or to register any false, assumed or fictitious name, or any name of any person except as provided in this Act;

Or shall knowingly, or willfully or fraudulently interfere with, hinder or delay any judge of election, or other officer of registration, in the discharge of his duties, or counsel, advise or induce, or attempt to induce, any such judge or other officer to refuse or neglect to comply with or to perform his duties, or to violate any law prescribed for regulating the same;

Or shall aid, counsel, procure or advise any voter, person, judge of election, or other officer of registration, to do any act by law forbidden, or in this Act constituted an offense, or to omit to do any act by law directed to be done;

Every such person, upon conviction thereof, shall be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 34. If any judge or clerk of election, or other officer of registration, revision, election or canvass, of whom any duty is required, in this Act, shall be guilty of any willful neglect of such duty;

Or of any corrupt or fraudulent conduct or practice in the execution of the same;

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

§ 35. Every judge or clerk of election, or other officer or person having the custody of any record, register of voters or copy thereof, oath, return or statement of votes, certificate, poll lists or of any paper, document or vote of any description in this Act directed to be made, filed or preserved, who is guilty of stealing, willfully destroying, mutilating, defacing, falsifying [falsifying] or fraudulently removing or secreting the whole or any part thereof;

Or who shall fraudulently make any entry, erasure or alterations therein, except as allowed and directed by the provisions of this Act;

Or who permits any other person so to do;

Shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished for each and every such offense by imprisonment in the penitentiary for not less than one year nor more than ten years.

§ 36. Every person not an officer, such as is mentioned in the last preceding section, who is guilty of any of the acts specified in said last

section, or who advises, procures or abets the commission of the same, or any of them, shall upon conviction thereof be adjudged guilty of a felony, and for each and every such offense shall be punished by imprisonment in the penitentiary for not less than one year nor more than ten years. And such offense shall be deemed to have been committed whether such person has or had any custody or control, rightful or otherwise, over, is charged with any duty in relation to, said records, registers, ballots or other documents.

§ 37. Any person who shall be convicted of willfully and corruptly swearing or affirming in taking any oath or affirmation prescribed by or upon any examination provided for in this Act, shall be adjudged guilty of willful and corrupt perjury, and shall be punished according to the laws of this State.

§ 38. Every person who shall willfully and corruptly instigate, advise, induce or procure and [any] person to swear or affirm falsely, as aforesaid, or attempt or offer so to do, shall be adjudged guilty or [of] subornation of perjury, and shall upon conviction thereof suffer the punishment directed by law in cases of willful and corrupt perjury.

§ 39. If at any general registration of voters, or revision thereof, any person shall cause any breach of the peace, or be guilty of any disorderly [disorderly] violence or threats of violence, whereby any such registration, revision, election, or canvass shall be impeded or hindered:

Or whereby the lawful proceedings of any judge of election, or board of registration, are interefered [interfered] with;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than thirty days nor more than one year; or by a fine of not less than two hundred and fifty (250) dollars nor more than one thousand (1,000) dollars; or by both such fine and imprisonment.

§ 40. If any person knowingly or willfully shall obstruct, hinder or assault, [assault] or by bribery, sollicitation or otherwise, interfere with any judge or clerk of election, or person in charge of the registration or revision of voters, in the performance of any duty required of him, or which he may by law be authorized or permitted to perform;

Or if any person, by any of the means before mentioned or otherwise unlawfully shall, on the day of registration, revision of registration, hinder or prevent any judge or clerk of election in his free attendance and presence at the place of registration, or revision of registration, or of election, in the election precinct, in and for which he is appointed or designated to serve;

Or in his full and free access and egress to and from any such place of registration or revision of registration;

Or to and from any room where such registration, or revision of registration, or making of any return or certificates thereof, may be had;

Or shall molest, interfere with, remove or eject from any such place of registration, or of making of returns or certificates thereof, any such judge or clerk of election, except as otherwise provided in this Act, or shall unlawfully threaten, or attempt or offer so to do;

Every such person shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by imprisonment in the county jail for not less than six months nor more than one year;

Or shall be fined not less than five hundred (500) nor more than two thousand (2,000) dollars, or both.

§ 41. If at any registration of voters or revision thereof, hereafter held in such city, any judge or clerk of election, or person in charge of such registration or revision, shall knowingly or willfully admit any person to registration or make any entry upon any register or poll book;

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than thirty nor more than sixty days; or by a fine of not less than one hundred (100) nor more than one thousand (1,000) dollars, or by both such fine and imprisonment.

§ 42. If any judge of election, in any election precinct, shall, without urgent necessity, absent himself from the place of registration in said precinct, upon any day of registration or revision whereby less than a majority of all the judges in such election precinct shall be present during such hours of registration;

He shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than sixty days, nor more than six months; or shall be fined not less than five hundred (500) nor more than one thousand (1,000) dollars, or both.

§ 43. Whoever, during the hours of registration, revision of registration or of making returns thereof, shall bring, take, order or send into, or shall attempt to bring, take or send into any place of registration, or revision of registration, or of election, any distilled or spirituous liquors whatever; or shall at any such time and place, drink or partake of such liquor, shall be deemed and held to be guilty of a misdemeanor, and shall be punished according to law.

§ 44. In case of misdemeanors committed, where a matter of fine shall be imposed instead of imprisonment, such party shall be discharged from imprisonment only on condition of payment of the fine;

And, unless paid, his imprisonment shall continue until such fine shall be canceled by an allowance of three (3) dollars per day for each day of imprisonment.

§ 45. It shall be the duty of such election commissioners to aid in the prosecution of all crimes and offenses against this Act;

And they shall keep a docket in which shall be entered all complaints against all persons claimed to be guilty of the violations of this law;

And when, in the judgment of such election commissioners, such offense has probably been committed, it shall be their duty to cause a prosecution to be instituted in accordance with the provisions of this Act, and cause the parties to be punished accordingly.

Said election commissioners, when in session, shall have authority and it shall be their duty to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election law;

and it shall be the duty of all officers of the law present to obey the order of such election commissioners or either of them, and an officer making an arrest by direction of any election commissioner shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

TOWN CLERKS.

§ 1. Provides for election in 1920—filling of vacancies. § 2. Repeal.

(HOUSE BILL NO. 182. APPROVED JUNE 25, 1917.)

AN ACT in relation to the office of a President and a Clerk in incorporated towns having a population of 25,000 and over by the last school census.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That at the regular election to be held in the year 1920 for the municipal offices in every incorporated town having a population of 25,000 and over by the last school census, and not before, and every four years thereafter at such municipal election, there shall be elected a president and a clerk of said incorporated town, to hold office for the term of four years and until his successor is elected and qualified. Whenever a vacancy shall occur in the office of president or clerk, elected hereunder, during the first year hereof, such vacancy shall be filled for the remainder of the term at the next annual election in such municipality and during the period from any time a vacancy occurs until any clerk is elected and qualified, such vacancy may be filled by appointment by the president and board of trustees of such incorporated town.

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

APPROVED June 25, 1917.

TOWNSHIPS AND PRECINCTS REDISTRICTED—JUDGES—HOW SELECTED.

§ 1. Amends section 33, Act of 1872.

§ 33. Provides for selection of judges where township or precinct has been redistricted since last general election for Governor.

(HOUSE BILL NO. 955. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section thirty-three (33) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently

amended, be, and the same is hereby amended by amending section thirty-three (33) thereof, to read as follows:

§ 33. In counties under township organization the county board shall, at its regular (or at a special) meeting in the month of June of each year, except when such judges and clerks are appointed by election commissioners, appointed in each election precinct or district in the county, three capable and discreet electors to be judges of election, and who shall possess the qualifications required by this Act for such judges. No more than two persons of the same political party shall be appointed judges in the same election district or undivided precinct. The town supervisor shall be appointed as one of such judges of election in the district or precinct in which he resides. The appointment of the remaining judges of election in the various election precincts and districts shall be made in the following manner: The members of the county board of supervisors belonging to the political party having the greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority judge of election in each election district or precinct in each township in which said political party cast the second highest number of votes for Governor at the preceding general election. The members of the county board of supervisors belonging to the political party having the second greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority election judge in the election district or precinct in each township in which said political party cast the second highest number of votes at the preceding general election for Governor. *Provided*, that if the county board of supervisors shall be composed of members who belong to any one political party entirely, then, in that case, the chairman of the county central committee of the other political party casting the next highest number of votes in said county at the preceding general election is hereby empowered and authorized to make the selection of the minority judge of election, who shall serve in each of the election districts or precincts in said county, and the members of the county board of supervisors are hereby directed to make the appointment of said minority judges of election for each election district or precinct as selected by the chairman of the above mentioned county central committee. *And, provided, further*, that where the county board shall be equally divided and two political parties shall be represented by an equal number of members, the selection and appointment of such judges of election shall be made as in the case where there is a majority of members on the county board belonging to one political party. The members representing the

political party casting the highest number of votes in a township at the preceding election for Governor shall select the majority judges of election in said township, and the members representing the political party that cast the second highest number of votes at the preceding election for Governor in said township, shall select the minority judges of election in said township, and the county board shall appoint the selection so made: *And, provided, further,* that where a supervisor shall be elected in a township, said supervisor representing a political party that neither has the highest nor second highest number of votes for members on the said county board, the said supervisor shall be authorized and empowered to select a majority of the judges of election in the precincts or election districts in said township, such persons to represent the same political faith or belief as said supervisor, and the county board shall appoint the selection so made. The members of the county board representing the political party casting the second highest number of votes in said township at the preceding general election for Governor shall select the minority judges of election in said township and the county board shall appoint the selection so made: *Provided further,* that in any case where a township has been or shall be redistricted, in whole or in part, subsequent to one general election for Governor, and prior to the next, the judges of election to be appointed for all new or altered precincts or districts shall be selected in that one of the methods above detailed, which shall be applicable according to the facts and circumstances of the particular case, but the majority of such judges for each such precinct or district shall be selected from the political party which cast the highest number of votes for Governor at the last preceding general election in the entire township, and the minority judge from the political party having cast the second greatest number of votes for Governor at such election. Such judges of election shall hold their office for one year from their appointment and until their successors are duly appointed in the manner hereinbefore provided. The said county board of supervisors shall fill all vacancies in said office of judges of elections at any time, in their [the] manner hereinbefore provided.

APPROVED June 26, 1917.

EMPLOYMENT.

COMMISSION TO INVESTIGATE SICKNESS AND ACCIDENT TO EMPLOYED PERSONS NOT UNDER WORKMEN'S COMPENSATION.

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| § 1. Creation and duty. | § 4. Cooperation of other departments. |
| § 2. Members. | § 5. Appropriation. |
| § 3. Powers. | |

(SENATE BILL NO. 348. APPROVED JUNE 23, 1917.)

AN ACT to establish a commission to investigate sickness and accident, not compensated by workmen's compensation, of employed persons and their families and to make an appropriation therefor.

SECTION 1. CREATION AND DUTY.] *Be it enacted by the People of the State of Illinois represented in the General Assembly: That a special*

temporary commission is hereby created to be known as the Health Insurance Commission which shall investigate sickness and accident of employees and their families (not compensated by workmen's compensation in the State of Illinois), with reference to the adequacy of the present methods of preventing and meeting the losses caused by such sickness or injury, either by mutual or stock insurance companies or associations, by fraternal or other mutual benefit associations, by employers and employees jointly, by employers or employees alone, or otherwise; and further, such definite proposals for legislative measures to prevent and meet such losses as may have been proposed in this or other states; all with a view to recommending ways and means for the better protection of employees from sickness and accident and their effects and the improvement of the health of employed persons and their families in the State. The commission shall hold public hearings in different parts of the State. The commission shall submit a full final report including such recommendations for legislation by bill or otherwise as in its judgment may seem proper, to the General Assembly of nineteen hundred and nineteen and unless continued by such General Assembly, shall expire at the end of its regular session.

§ 2. MEMBERS. The commission shall consist of two representatives of labor, namely one representative of the male laborers, the other of the female laborers of the State, an employer of labor, a physician, a farmer, a social economist, a social worker, and two other persons, to be appointed by the Governor. The members of such commission shall receive no compensation for their services, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

§ 3. POWERS. The commission shall have power to elect its chairman and other officers, to employ a secretary, experts in the matters to be investigated, and all necessary clerical and other assistants, to purchase books and all necessary supplies, and to rent office room, and halls for hearings.

§ 4. CO-OPERATION OF OTHER DEPARTMENTS. The Department of Public Health and the Department of Labor and Mining are hereby directed to co-operate with the commission, to give it access to their records, and to render it any such proper aid and assistance as in their judgment may not interfere with the proper conduct of their respective departments.

§ 5.* APPROPRIATION. The sum of twenty thousand dollars (\$20,000) or so much thereof as may be needed, is hereby appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this Act, and the Auditor of Public Accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges, or disbursements authorized by this Act on order of the commission, signed by its chairman, attested by its secretary, and approved by the Governor.

APPROVED June 23, 1917.

COMPENSATION FOR ACCIDENTAL INJURIES OR DEATH—ACT OF 1913
AMENDED.

- § 1. Amends sections 2, 3, 5, 7, 8, 13, 14, 16, 19 and 31, and adds section 3½ to Act of 1913.
- § 2. Presumption — notice of non-election.
- § 3. Non-election defenses — to what employments applied.
- § 3½. When allegation of plaintiff presumed conclusive — certificate — form.
- § 5. How term “employee” construed — when employee entitled to pension.
- § 7. Amount of compensation for injury resulting in death.
- § 8. Amount of compensation for injury not resulting in death.
- § 13. Industrial Board — appointment — term of office — powers to be vested in Industrial Commission.
- § 14. Salaries of members of board and arbitrators — secretary and clerk — seal.
- § 16. Rules and orders—procedure — powers of board of arbitrators—record—fees.
- § 19. Disputed questions of law and fact—arbitrator—when determined by committee of arbitration—decision—petition for review — physician decision of Industrial Board—record of proceedings—Circuit Court may review questions of law—bond for costs —review by Supreme Court by writ of error — Circuit Court to render judgment —review after award—addresses to be filed — notices—death of injured employee after final decision.
- § 31. Who liable to pay compensation under provisions of Act—recovery from contractor or subcontractor — when Act not to apply.

§ 2. Emergency.

(HOUSE BILL NO. 551. APPROVED MAY 31, 1917.)

AN ACT to amend section 2, section 3, section 5, section 7, section 8, section 13, section 14, section 16, section 19 and section 31 of an Act entitled, “An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof and a penalty for its violation and repealing an Act entitled, ‘An Act to promote the general welfare of the people of this State, by providing compensation for accidental injuries or death suffered in the course of employment,’ approved June 10, 1911, in force May 1, 1912,” approved June 28, 1913, and in force July 1, 1913; as amended by an Act approved June 28, 1915, and in force July 1, 1915, and to further amend said Act by adding thereto an additional section to be known as section 3½ and declaring an emergency.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 2, section 3, section 5, section 7, section 8, section 13, section 14, section 16, section 19 and section 31 of an Act entitled, “An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof and a penalty for its violation and repealing an Act entitled, ‘An Act to promote the

general welfare of the people of this State, by providing compensation for accidental injuries or death suffered in the course of employment," approved June 10, 1911, in force May 1, 1912," approved June 28, 1913, and in force July 1, 1913; as amended by an Act approved June 28, 1915, and in force July 1, 1915, be amended and that said Act as amended be further amended by adding thereto one additional section to be known as section 3½ which said section [sections] as hereby amended and said additional section shall read as follows:

§ 2. Every employer enumerated in section 3, paragraph (b) shall be conclusively presumed to have filed notice of his election as provided in section 1, paragraph (a) and to have elected to provide and pay compensation according to the provisions of this Act, unless and until notice in writing of his election to the contrary is filed with the industrial board. Such notice of non-election may be withdrawn as provided in this Act.

§ 3. (a) In any action to recover damages against an employer, engaging in any of the enterprises or businesses enumerated in paragraph (b) of this section, who shall elect not to provide and pay compensation to any employee, according to the provisions of this Act, it shall not be a defense; that:

First—The employee assumed the risks of the employment;

Second—The injury or death was caused in whole or in part by the negligence of a fellow servant; or

Third—The injury or death was proximately caused by the contributory negligence of the employee.

(b) The provisions of paragraph (a) of this section shall apply to any employer engaging in any of the following enterprises or businesses, namely:

1. The erection, maintaining, removing, remodeling, altering, or demolishing of any structure, except as provided in sub-section 8 of this section;

2. Construction, excavating or electrical work, except as provided in sub-section 8 of this section.

3. Carriage by land or water and loading or unloading in connection therewith;

4. The operation of any warehouse or general or terminal store houses;

5. Mining, surface mining or quarrying;

6. Any enterprise in which explosive materials are manufactured, handled or used in dangerous quantities;

7. In any enterprise wherein molten metal, or explosive or injurious gases or vapors, or inflammable vapors or fluids, or corrosive acids, are manufactured, used, generated, stored or conveyed in dangerous quantities;

8. In any enterprise in which statutory or municipal ordinance regulations are now or shall hereafter be imposed for the regulating, guarding, use or the placing of machinery or appliances, or the protection and safeguarding of the employees or the public therein; each of which occupations, enterprises or businesses are hereby declared to be extra-hazardous; *Provided*, nothing contained herein shall be construed

to apply to any work, employment, or operations done, had or conducted by farmers and others engaged in farming, tillage of the soil, or stock raising, or to those who rent, demise, or lease land for any of such purposes, or to any one in their employ or to any work done on a farm, or country place, no matter what kind of work, or service is being done or rendered.

§ 3½. (a) If the plaintiff in any action mentioned in section 3 shall in his declaration or in his other pleading allege that the employer has filed notice of his election not to provide and pay compensation according to the provisions of the Workmen's Compensation Act and such allegation be not denied by a verified pleading, then such employer shall for the purposes of that action be conclusively presumed to have filed his notice of non-election.

(b) A certificate of the fact of the filing by an employer of the notice of non-election provided in section 2 and of the non-withdrawal thereof shall be *prima facie* proof in any action mentioned in section 3 of the fact of the filing of such notice of non-election and of the non-withdrawal thereof. Such certificate may be under the seal of the industrial board and signed by any member or the secretary thereof, of which seal and signature as such officer the court shall take judicial notice. Said certificate may be in substantially the following form:

This is to certify that the attached is a correct copy of notice filed with the industrial board by.....on theday of, 19..., electing not to provide and pay compensation according to the provisions of the Workmen's Compensation Act of Illinois, and that the original of said notice is now on file in the office of the industrial board and has not been withdrawn since the date of the filing thereof.

In witness whereof, this certificate has been subscribed and the seal of the industrial board affixed this..... day of....., 19....

.....of Industrial Board.

§ 5. The term "employee" as used in this Act, shall be construed to mean:

First—Every person in the service of the State, county, city, town, township, incorporated village or school district, body politic or municipal corporations therein, under appointment, or contract of hire, express or implied, oral or written, except any official of the State, or of any county, city, town, township, incorporated village, school district, body politic or municipal corporation therein: *Provided*, that any such employee, his personal representative, beneficiaries or heirs, who is, are or shall be entitled to receive a pension or benefit for or on account of disability or death arising out of or in the course of his employment from a pension or benefit fund to which the State or any county, town, township, incorporated village, school district, body politic or municipal corporation therein is a contributor, in whole or in part, shall be entitled to receive only such part of such pension or benefit as is in excess of the amount of compensation recovered and received by such employee, his personal representative, beneficiaries or heirs under this Act, *And, pro-*

vided, further, that one employed by a contractor who has contracted with the State, or a county, city, town, township, incorporated village, school district, body politic or municipal corporation, therein, through its representatives, shall not be considered, as an employee of the State, county, city, town, township, incorporated village, school district, body politic or municipal corporation which made the contract.

Second—Every person in the service of another under any contract of hire, express or implied, oral or written, including aliens, and minors who are legally permitted to work under the laws of the State, who, for the purpose of this Act, shall be considered the same and have the same power to contract, receive payments and give quittances therefor, as adult employees, but not including any person who is not engaged in the usual course of the trade, business, profession or occupation of his employer: *Provided*, that employees shall not be included within the provisions of this Act when excluded by the laws of the United States relating to liability of employers to their employees for personal injuries where such laws are held to be exclusive.

§ 7. The amount of compensation which shall be paid for an injury to the employee resulting in death shall be:

(a) If the employee leaves any widow, child or children whom he was under legal obligation to support at the time of his injury, a sum equal to four times the average annual earnings of the employee, but not less in any event than one thousand six hundred fifty dollars and not more in any event than three thousand five hundred dollars. Any compensation payments other than necessary medical, surgical or hospital fees or services shall be deducted in ascertaining the amount payable on death.

(b) If no amount is payable under paragraph (a) of this section and the employee leaves any parent who at the time of injury was totally dependent upon the earnings of the employee, then a sum equal to four times the average annual earnings of the employee, but not less in any event than one thousand six hundred fifty dollars, and not more in any event than three thousand five hundred dollars.

(c) If no amount is payable under paragraph (a) or (b) of this section and the employee leaves any parent, grandparent or grandchild who at the time of injury was dependent upon the earnings of the employee, then such proportion of a sum equal to four times the average annual earnings of the employee as such dependency bears to total dependency, but not less in any event than one thousand six hundred fifty dollars and not more in any event than three thousand five hundred dollars. Any compensation payments other than necessary medical, surgical or hospital fees or services shall be deducted in ascertaining the amounts payable on death.

(d) If no amount is payable under paragraphs (a), (b) or (c) of this section and the employee leaves collateral heirs dependent at the time of the injury to the employee upon his earnings, such a percentage of the sum provided in paragraph (a) of this section as the average annual contributions which the deceased made to the support of such

collateral dependent heirs during the two years preceding the injury bears to his average annual earnings during such two years.

(e) If no amount is payable under paragraph (a) or (b) or (c) or (d) of this section, a sum not to exceed one hundred and fifty dollars for burial expenses.

(f) All compensation except for burial expenses, provided for in this section to be paid in case injury results in death, shall be paid in installments equal to one-half the average earnings, at the same intervals at which the wages or earnings of the employee were paid; or if this shall not be feasible, then the installments shall be paid weekly: *Provided*, such compensation may be paid in a lump sum upon petition as provided in section 9 of this Act.

(g) The compensation to be paid for injury which results in death, as provided in this section, shall be paid at the option of the employer either to the personal representative of the deceased employee or to his beneficiaries, and shall be distributed to the heirs who formed the basis for determining the amount of compensation to be paid by the employer, the distributees' share to be in the proportion of their respective dependency at the time of the injury on the earnings of the deceased: *Provided*, that, in the judgment of the court appointing the personal representative, a child's distributive share may be paid to the parent for the support of the child. The payment of compensation by the employer to the personal representative of the deceased employee shall relieve him of all obligations as to the distribution of such compensation so paid. The distribution by the personal representative of the compensation paid to him by the employer shall be made pursuant to the order of the court appointing him.

(h) 1. Whenever in paragraph (a) of this section a minimum of one thousand six hundred fifty dollars is provided, such minimum shall be increased in the following cases to the following amounts:

One thousand seven hundred fifty dollars in case of a widow and one child under the age of 16 years at the time of the death of the employee.

One thousand eight hundred fifty dollars in case of a widow and two or more children under the age of 16 years at the time of the death of the employee.

2. Wherever in paragraph (a) of this section a maximum of three thousand five hundred dollars is provided, such maximum shall be increased in the following cases to the following amounts:

Three thousand seven hundred fifty dollars in case of a widow and one child under the age of 16 years at the time of the death of the employee.

Four thousand dollars in case of a widow and two or more children under the age of 16 years at the time of the death of the employee.

§ 8. The amount of compensation which shall be paid to the employee for an injury not resulting in death shall be:

(a) The employer shall provide necessary first aid, medical, surgical and hospital services; also medical, surgical and hospital services for a period not longer than eight weeks, not to exceed, however, the amount

of \$200.00. The employee may elect to secure his own physician, surgeon or hospital services at his own expense.

(b) If the period of temporary total incapacity for work lasts for more than six working days, compensation equal to fifty per centum of the earnings, but not less than \$6.00 nor more than \$12.00 per week, beginning on the eighth day of such temporary total incapacity, and continuing as long as the temporary total incapacity lasts, but not after the amount of compensation paid equals the amount which would have been payable as a death benefit under paragraph (a), section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving as provided in said paragraph (a), section 7.

(c) For any serious and permanent disfigurement to the hand, head or face, the employee shall be entitled to compensation for such disfigurement, the amount fixed by agreement or by arbitration in accordance with the provisions of this Act, which amount shall not exceed one-quarter of the amount of the compensation which would have been payable as a death benefit under paragraph (a), section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving, as provided in said paragraph (a), section 7: *Provided*, that no compensation shall be payable under this paragraph where compensation is payable under paragraph (d), (e) or (f) of this section: *And, provided, further*, that when the disfigurement is to the hand, head or face as a result of any injury, for which injury compensation is not payable under paragraph (d), (e) or (f) of this section, compensation for such disfigurement may be had under this paragraph.

(d) If, after the injury has been sustained, the employee as a result thereof becomes partially incapacitated from pursuing his usual and customary line of employment, he shall, except in the cases covered by the specific schedule set forth in paragraph (e) of this section, receive compensation, subject to the limitations as to time and maximum amounts fixed in paragraphs (b) and (h) of this section, equal to fifty per centum of the difference between the average amount which he earned before the accident, and the average amount which he is earning or is able to earn in some suitable employment or business after the accident. In the event the employee returns to the employment of the employer in whose service he was injured, the employee shall not be barred from asserting a claim for compensation under this Act: *Provided*, notice of such claim is filed with the industrial board within eighteen months after he returns to such employment, and the said board shall immediately send to the employer, by registered mail, a copy of such notice.

(e) For injuries in the following schedule, the employee shall receive in addition to compensation during the period of temporary total incapacity for work resulting from such injury, in accordance with the provisions of paragraphs (a) and (b) of this section, compensation, for a further period, subject to the limitations as to time and amounts fixed in paragraphs (b) and (h) of this section, for the specific loss herein mentioned, as follows, but shall not receive any compensation for such injuries under any other provision of this Act:

1. For the loss of a thumb, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during sixty weeks;
2. For the loss of a first finger, commonly called the index finger, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during thirty-five weeks;
3. For the loss of a second finger, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during thirty weeks;
4. For the loss of a third finger, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during twenty weeks;
5. For the loss of a fourth finger, commonly called the little finger, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during fifteen weeks;
6. The loss of the first phalange of the thumb, or of any finger, shall be considered to be equal to the loss of one-half of such thumb, or finger, and compensation shall be one-half the amounts above specified;
7. The loss of more than one phalange shall be considered as the loss of the entire finger or thumb: *Provided, however*, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;
8. For the loss of a great toe, fifty per centum of the average weekly wage during thirty weeks;
9. For the loss of one toe other than the great toe, fifty per centum of the average weekly wage during ten weeks, and for the additional loss of one or more toes other than the great toe, fifty per centum of the average weekly wage during an additional ten weeks;
10. The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be one-half of the amount above specified;
11. The loss of more than one phalange shall be considered as the loss of the entire toe;
12. For the loss of a hand, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during one hundred and fifty weeks;
13. For the loss of an arm, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during two hundred weeks;
14. For the loss of a foot, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during one hundred and twenty-five weeks;
15. For the loss of a leg, or the permanent and complete loss of its use, fifty per centum of the average weekly wage during one hundred and seventy-five weeks;
16. For the loss of the sight of an eye or for the permanent and complete loss of its use, fifty per centum of the average weekly wage during one hundred weeks;
17. For the permanent partial loss of use of a member or sight of an eye, fifty per centum of the average weekly wage during that propor-

tion of the number of weeks in the foregoing schedule provided for the loss of such member or sight of an eye which the partial loss of use thereof bears to the total loss of use of such member of sight of eye.

18. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or of any two thereof, shall constitute total and permanent disability, to be compensated according to the compensation fixed by paragraph (f) of this section: *Provided*, that these specific cases of total and permanent disability shall not be construed as excluding other cases.

(f) In case of complete disability, which renders the employee wholly and permanently incapable of work, compensation equal to fifty per centum of his earnings, but not less than \$6.00 nor more than \$12.00 per week, commencing on the day after the injury and continuing until the amount paid equals the amount which would have been payable as a death benefit under paragraph (a), section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving, as provided in said paragraph (a), section 7, and thereafter a pension during life annually equal to 8 per cent of the amount which would have been payable as a death benefit under paragraph (a), section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving, as provided in said paragraph (a), section 7. Such pension shall not be less than \$10.00 per month and shall be payable monthly.

(g) In case death occurs as a result of the injury before the total of the payments made equals the amount payable as a death benefit, then in case the employee leaves any widow, child or children, parents, grandparents or other lineal heirs, entitled to compensation under section 7, the difference between the compensation for death and the sum of the payments made to the employee shall be paid, at the option of the employer, either to the personal representative or to the beneficiaries of the deceased employee, and distributed, as provided in paragraph (f) of section 7, but in no case shall the amount payable under this paragraph be less than \$500.00.

(h) In no event shall the compensation to be paid exceed fifty per centum of the average weekly wage or exceed \$12.00 per week in amount; nor, except in cases of complete disability, as defined above, shall any payments extend over a period of more than eight years from the date of the accident. In case an injured employee shall be incompetent at the time when any right or privilege accrues to him under the provisions of this Act, a conservator or guardian may be appointed, pursuant to law, and may, on behalf of such incompetent, claim and exercise any such right or privilege with the same force and effect as if the employee himself had been competent and had claimed or exercised said right or privilege; and no limitations of time by this Act provided shall run so long as said incompetent employee is without a conservator or guardian.

(i) All compensations provided for in paragraphs (b), (c), (d), (e), and (f) of this section, other than cases of pension for life, shall be paid in installments at the same intervals at which the wages or

earnings of the employee were paid at the time of the injury, or if this shall not be feasible, then the installments shall be paid weekly.

(j) 1. Wherever in this section there is a provision for fifty per centum, such per centum shall be increased five per centum for each child of the employee under 16 years of age at the time of injury to the employee until such per centum shall reach a maximum of sixty-five per centum.

2. Wherever in this section a weekly minimum of \$6.00 is provided, such minimum shall be increased in the following cases to the following amounts:

\$6.50 in case of an employee with one child under the age of 16 years at the time of injury to the employee.

\$7.00 in case of an employee with two children under the age of 16 years at the time of injury to the employee.

\$7.50 in case of an employee with three or more children under the age of 16 years at the time of injury to the employee.

3. Wherever in this section a weekly maximum of \$12.00 is provided, such maximum shall be increased in the following cases to the following amounts:

\$13.00 in case of an employee with one child under the age of 16 years at the time of injury to the employee.

\$14.00 in case of an employee with two children under the age of 16 years at the time of injury to the employee.

\$15.00 in case of an employee with three or more children under the age of 16 years at the time of injury to the employee.

4. The increases in the above per centum and the minimum and maximum amounts shall be paid only so long as the child upon which the increase is based remains under the age of 16 years.

§ 13. (a) There is hereby created a board which shall be known as the Industrial Board to consist of five members to be appointed by the Governor, by and with the consent of the Senate, two of whom shall be representative citizens of the employing class operating under this Act, and two of whom shall be representative citizens of the class of employees operating under this Act, and one of whom shall be a representative citizen not identified with either the employing or employee classes and who shall be designated by the Governor as chairman. Appointment of members to places on the first board or to fill vacancies on said board may be made during recesses of the Senate, but shall be subject to confirmation by the Senate at the next ensuing session of the Legislature. The term of office of members of this board shall be six years, expiring on January 31st, of the odd year, except that when first constituted two members shall be appointed for two years, two members for four years and one member for six years. Not more than three members of the board shall belong to the same political party.

(b) When there shall become effective the Act known as "The Civil Administrative Code of Illinois," being an Act entitled, "An Act in relation to the civil administration of the State Government," there shall thereupon be vested in the Industrial Commission and the industrial officers thereof by said Act created all of the powers and duties vested in

the Industrial Board by the Workmen's Compensation Act and thereupon wherever in the Workmen's Compensation Act reference shall be made to the Industrial Board, the board or to any member thereof, it shall be construed as referring and shall apply to the said Industrial Commission, the said commission, and any industrial officer thereof, respectively.

§ 14. The salary of each of the members of the board so appointed by the Governor shall be five thousand dollars (\$5,000.00) per year. The board shall appoint a secretary and shall employ such assistants and clerical help as may be necessary. The salary of the arbitrators designated by the board shall be at the rate of twenty-four hundred dollars (\$2,400.00) per year. The members of the board and the arbitrators shall have reimbursed to them their actual traveling expenses and disbursements made or incurred by them in the discharge of their official duties while away from their places of residence in the performance of their duties. The board shall provide itself with a seal for the authentication of its orders, awards, and proceedings, upon which shall be inscribed the name of the board and the words "Illinois—Seal."

§ 16. The board may make rules and orders for carrying out the duties imposed upon it by law, which rules and orders shall be deemed *prima facie* reasonable and valid; and the process and procedure before the board shall be as simple and summary as reasonably may be. The board upon application of either party may issue *dedimus potestatem* directed to a commissioner, notary public, justice of the peace or any other officer authorized by law to administer oaths, to take the depositions of such witness or witnesses as may be necessary in the judgment of such applicant. Such *dedimus potestatem* may issue to any of the officers aforesaid in any state or territory of the United States or in any foreign country. The board shall have the power to adopt necessary rules to govern the issue of such *dedimus potestatem*. The board, or any member thereof, or any arbitrator designated by said board shall have the power to administer oaths, subpoena and examine witnesses, to issue subpoenas *duces tecum*, requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry, and to examine and inspect the same and such places or premises as may relate to the question in dispute. Said board, or any member thereof, or any arbitrator designated by said board, shall, on written request of either party to the dispute, issue subpoenas for the attendance of such witnesses and production of such books, papers, records, and documents as shall be designated in said applications, providing, however, that the parties applying for such subpoena shall advance the officer and witness fees provided for in suits pending in the Circuit Court. Service of such subpoenas shall be made by any sheriff or constable or other person. In case any person refuses to comply with an order of the board or subpoena issued by it or any member thereof, or any arbitrator designated by said board, or to permit an inspection of places or premises, or to produce any books, papers, records, or documents, or any witness refuses to testify to any matters regarding which he may be lawfully interrogated, the County Court of the county in which said hearing or matter is pending, on application of any member of the board or any arbitrator desig-

nated by the board, shall compel obedience by attachment proceedings, as for contempt, as in a case of disobedience of the requirements of a subpoena from such court on a refusal to testify therein.

The board at its expense shall provide a stenographer to take the testimony and record of proceedings at the hearings before an arbitrator, committee of arbitration, or the board, and said stenographer shall furnish a transcript of such testimony or proceedings to any person requesting it upon payment to him therefor of five cents per one hundred words for the original and three cents per one hundred words for each copy of such transcript.

The board shall have the power to determine the reasonableness and fix the amount of any fee or compensation charged by any person for any service performed in connection with this Act, or for which payment is to be made under this Act or rendered in securing any right under this Act.

§ 19. Any disputed questions of law or fact upon which the employer and employee or personal representative cannot agree, shall be determined as herein provided.

(a) It shall be the duty of the Industrial Board, upon notification that the parties have failed to reach an agreement, to designate an arbitrator: *Provided*, that if the compensation claimed is for a partial permanent or total permanent incapacity or for death, then the dispute may, at the election of either party, be determined by a committee of arbitration, which election for a determination by a committee shall be made by petitioner filing with the board his election in writing with his petition or by the other party filing with the board his election in writing within five days of notice to him of the filing of the petition, and thereupon it shall be the duty of the Industrial Board, upon either of the parties having filed their election for a committee of arbitration as above provided, to notify both parties to appoint their respective representatives on the committee of arbitration. The board shall designate an arbitrator to act as chairman, and if either party fails to appoint its member on the committee within seven days after notification as above provided, the board shall appoint a person to fill the vacancy and notify the parties to that effect. The party filing his election for a committee of arbitration shall with his election deposit with the board the sum of twenty dollars, to be paid by the board to the arbitrators selected by the parties as compensation for their services as arbitrators, and upon a failure to deposit as aforesaid, the election shall be void and the determination shall be by an arbitrator designated by the board. The members of the committee of arbitration appointed by either of the parties or one appointed by the board to fill a vacancy by reason of the failure of one of the parties to appoint, shall not be a member of the board or an employee thereof.

(b) The arbitrator or committee of arbitration shall make such inquiries and investigations as he or they shall deem necessary, and may examine and inspect all books, papers, records, places, or premises relating to the questions in dispute, and hear such proper evidence as the parties may submit. The hearings before the arbitrator or committee of arbitration shall be held in the vicinity where the injury occurred, after

ten days' notice of the time and place of such hearing shall have been given to each of the parties or their attorneys of record. The decision of the arbitrator or committee of arbitration shall be filed with the Industrial Board, which board shall immediately send to each party or his attorney a copy of such decision, together with a notification of the time when it was filed, and unless a petition for a review is filed by either party within fifteen days after the receipt by said party of the copy of said decision and notification of time when filed, and unless such party petitioning for a review shall within twenty days after the receipt by him of the copy of said decision, file with the board either an agreed statement of the facts appearing upon the hearing before the arbitrator or committee of arbitration, or if such party shall so elect, a correct stenographic report of the proceedings at such hearings, then the decision shall become the decision of the Industrial Board: *Provided*, that such Industrial Board may for sufficient cause shown grant further time, not exceeding thirty days, in which to petition for such review or to file such agreed statement or stenographic report. Such agreed statement of facts or correct stenographic report, as the case may be, shall be authenticated by the signatures of the parties or their attorneys and in the event they do not agree as to the correctness of the stenographic report it shall be authenticated by the signature of the arbitrator designated by the board.

(c) The Industrial Board may appoint, at its expense, a duly qualified, impartial physician to examine the injured employee and report to the board. The fee for this service shall not exceed five dollars and traveling expenses, but the board may allow additional reasonable amounts in extraordinary cases. The fees and the payment thereof of all attorneys and physicians for services authorized by the board under this Act, shall, upon request of either the employer or the employee or the beneficiary affected, be subject to the review and decision of the Industrial Board.

(d) If any employee shall persist in insanitary or injurious practices which tend to either imperil or retard his recovery or shall refuse to submit to such medical or surgical treatment as is reasonably essential to promote his recovery, the board may, in its discretion, reduce or suspend the compensation of any such injured employee.

(e) If a petition for review and agreed statement of facts or stenographic report is filed, as provided herein, the Industrial Board shall promptly review the decision of the arbitrator or committee of arbitration and all questions of law or fact which appear from the said statement of facts or stenographic report, and such additional evidence as the parties may submit. After such hearing upon review, the board shall file in its office its decision thereon, and shall immediately send to each party or his attorney a copy of such decision and a notification of the time when it was filed.

Such review and hearing may be held in its office or elsewhere as the board may deem advisable: *Provided*, that the taking of testimony on such hearing may be had before any member of the board and in the event either of the parties may desire an argument before others of the board such argument may be had upon written demand therefor filed with the board within five days after the commencement of such taking

of testimony, in which event such argument shall be had before not less than a majority of the board: *Provided*, that the board shall give 10 days' notice to the parties or their attorneys of the time and place of such taking of testimony and of such argument.

In any case the board in its decision may in its discretion find specially upon any question or questions of law or fact which shall be submitted in writing by either party, whether ultimate or otherwise. Any party may, within twenty days after the receipt of notice of the board's decision, or within such further time, not exceeding thirty days, as the board may grant, file with the board either an agreed statement of the facts appearing upon the hearing, or, if such party shall so elect, a correct stenographic report of the additional proceedings presented before the board, in which report the party may embody a correct statement of such other proceedings in the case as such party may desire to have reviewed, such statement of facts or stenographic report to be authenticated by the signatures of the parties or their attorneys, and in the event that they do not agree, then the authentication of such stenographic report shall be by the signature of the chairman of the board. The applications for adjustment of claim and other documents in the nature of pleadings filed by either party, together with the decisions of the arbitrator and of the Industrial Board, and the statement of facts or stenographic reports hereinbefore provided for in paragraphs (b) and (c) shall be the record of the proceedings of said board, and shall be subject to review as hereinafter provided.

(f) The decision of the Industrial Board, acting within its powers, according to the provisions of paragraph (e) of this section, and of the arbitrator or committee of arbitration, where no review is had and his or their decision becomes the decision of the Industrial Board in accordance with the provisions of this section, shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided.

(1) The Circuit Court of the county where any of the parties defendant may be found shall by writ of *certiorari* to the Industrial Board have power to review all questions of law presented by such record. Such writ shall be issued by the clerk of such court upon *praecipe*. Service upon any member of the Industrial Board or the secretary thereof shall be service on the board, and service upon other parties in interest shall be by *scire facias*, or service may be made upon said board and other parties in interest by mailing notice of the commencement of the proceedings and the return day of the writ to the office of said board and the last known place of residence of the other parties in interest at least ten days before the return day of said writ; or (2) any party in interest may commence a suit in chancery in the Circuit Court of the county where any of the parties defendant may be found to review the decision of the board only for errors of law appearing on the said record of the said board. Such suit by writ of *certiorari* or in chancery shall be commenced within twenty days of the receipt of notice of the decision of the board.

(3) No such writ of *certiorari* shall issue and no such suit in chancery shall be commenced by one against whom the Industrial Board shall have rendered an award for the payment of money unless such one shall upon the filing of his *praecipe* for such writ or upon the commencement

of such suit file with the clerk of said court a bond conditioned that if he shall not successfully prosecute said writ or said suit he will pay the said award, and the costs of the proceedings in said court. The amount of the bond shall be fixed by any member of the Industrial Board and the surety or sureties on said bond shall be approved by the clerk of said court.

The court may confirm or set aside the decision of the arbitrator or committee of arbitration or Industrial Board. If the decision is set aside and the facts found in the proceedings before the board are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Industrial Board for further proceedings, and may state the questions requiring further hearing, and give such other instructions as may be proper.

Judgments, orders and decrees of the Circuit Court under this Act shall be reviewed only by the Supreme Court upon writ of error. Upon motion, the trial court shall enter of record a certificate that the cause is, or is not, in his opinion, one proper to be reviewed by the Supreme Court. Upon filing with the clerk of the Supreme Court a certified copy of such a certificate that the cause is not one proper to be reviewed, writ of error shall issue. If the trial court certifies that the cause is not one proper to be reviewed, the Supreme Court, in its discretion, or one of the judges of said court in vacation, may, nevertheless, order that a writ of error issue. A writ of error, when issued, shall operate as a *supersedeas*.

The decision of a majority of the members of a committee of arbitration or of the Industrial Board shall be considered the decision of such committee or board, respectively.

(g) Either party may present a certified copy of the decision of the Industrial Board, when no proceedings for review thereof have been taken, or of the decision of such arbitrator or committee of arbitration when no claim for review is made, or of the decision of the Industrial Board after hearing upon review, providing for the payment of compensation according to this Act, to the Circuit Court of the county in which such accident occurred or either of the parties are residents, whereupon such court shall render a judgment in accordance therewith; and in case where the employer does not institute proceedings for review of the decision of the Industrial Board and refuses to pay compensation according to the award upon which such judgment is entered, the court shall, in entering judgment thereon, tax as costs against him the reasonable costs and attorney fees in the arbitration proceedings and in the court entering the judgment, for the person in whose favor the judgment is entered, which judgment and costs, taxed as herein provided shall, until and unless set aside, have the same effect as though duly rendered in an action duly tried and determined by said court, and shall, with like effect, be entered and docketed. The Circuit Court shall have power, at any time, upon application, to make any such judgment conform to any modification required by any subsequent decision of the Supreme Court upon appeal, or as the result of any subsequent proceedings for review, as provided in this Act.

Judgment shall not be entered until fifteen days' notice of the time and place of the application for the entry of judgment shall be served

upon the employer by filing such notice with the Industrial Board; which board shall, in case it has on file the address of the employer or the name and address of its agent, upon whom notices may be served, immediately send a copy of the notice to the employer or such designated agent; and no judgment shall be entered in the event the employer shall file with the said board its bond; with good and sufficient surety in double the amount of the award, conditioned upon the payment of said award in the event the said employer shall fail to prosecute with effect proceedings for review of the decision, or the said decision, upon review, shall be affirmed.

(h) An agreement or award under this Act, providing for compensation in installments, may at any time within eighteen months after such agreement or award be reviewed by the Industrial Board at the request of either the employer or the employee, on the ground that the disability of the employee has subsequently recurred, increased, diminished or ended; and on such review, compensation payments may be re-established, increased, diminished or ended: *Provided*, that the board shall give fifteen day's notice to the parties of the hearing for review: *And provided, further*, any employee, upon any petition for such a review being filed by the employer, shall be entitled to one day's notice for each one hundred miles necessary to be traveled by him in attending the hearings of the board upon said petition and three days in addition thereto, and such employee, shall, at the discretion of the board, also be entitled to five cents per mile necessarily traveled by him in attending such hearing, not to exceed a distance of 300 miles, to be taxed by the board as costs and deposited with the petition of the employer.

(i) Each party, upon taking any proceedings or steps whatsoever before any arbitrator, committee of arbitration, Industrial Board or court, shall file with the Industrial Board his address, or the name and address of an agent upon whom all notices to be given to such party shall be served, either personally or by registered mail addressed to such party or agent at the last address so filed with the Industrial Board: *Provided*, that in the event such party has not filed his address, or the name and address of an agent, as above provided, service of any notice may be had by filing such notice with the Industrial Board.

(j) Whenever in any proceeding testimony has been taken or a final decision has been rendered, and after the taking of such testimony, or after such decision has become final, the injured employee dies, then in any subsequent proceeding brought by the personal representative or beneficiaries of the deceased employee, such testimony in the former proceeding may be introduced with the same force and effect as though the witnesses having so testified were present in person in such subsequent proceeding and such final decision, if any, shall be taken as a final adjudication of any of the issues which are the same in both proceedings.

§ 31. Any one engaging in any business or enterprise referred to in sub-sections 1 and 2 of paragraph (b) of section 3 of this Act who undertakes to do any work enumerated therein, shall be liable to pay compensation to his own immediate employees in accordance with the provisions of this Act, and in addition thereto if he directly or indirectly engages any contractor, whether principal or sub-contractor to do any

such work, he shall be liable to pay compensation to the employees of any such contractor or sub-contractor unless such contractor or sub-contractor shall have insured, in any company or association authorized under the laws of this State to insure the liability to pay compensation under this, Act, or guaranteed his liability to pay such compensation.

In the event any such person shall pay compensation under this section he may recover the amount thereof from the contractor or sub-contractor, if any, and in the event the contractor shall pay compensation under this section he may recover the amount thereof from the sub-contractor, if any.

This section shall not apply in any case where the accident occurs elsewhere than on, in or about the immediate premises on which the principal has contracted that the work shall be done.

§ 2. Whereas, an emergency exists, therefore, this Act shall be in force and effect from and after its passage and approval by the Governor.

APPROVED May 31, 1917.

COMPENSATION FOR ACCIDENTAL INJURIES OR DEATH—ACT OF 1913
AMENDED.

§ 1. Amends sections 1, 3, 4, 11, 13, 26, 29 and 32—repeals section 2.

§ 1. Any employer may elect and pay compensation for accidental injuries or death of employees.

§ 3. Employer rejecting Act liable in action for damages—certain defenses abrogated.

§ 4. Term "employer" defined—liability.

§ 11. Employers' responsibility for injury or death of employee.

§ 13. Industrial Board appointed by Governor—confirmed by Senate—qualification of members.

§ 26. Employer to file with board statement of financial ability to pay compensation—other requirements.

§ 29. Injury or death of employee not proximately caused by negligence of employer or employees, but caused by some other person, under this, legally liable—right of employee to recover—proceedings when person legally liable and not under Act.

§ 32. Right of action for damages under existing laws, at time this Act takes effect, not disturbed.

§ 2. Section 2 repealed.

(SENATE BILL NO. 471. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment, approved June 10, 1911, in force May 1, 1912,'" approved June 28, 1913, in force July 1, 1913, as subsequently amended, by repealing section two (2) thereof and by amending sections one (1), three (3), four (4), eleven (11), thirteen (13), twenty-six (26), twenty-nine (29) and thirty-two (32) thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled "An Act to

promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment, approved June 10, 1911, in force May 1, 1912,' approved June 28, 1913, in force July 1, 1913, as subsequently amended, be, and the same is hereby amended by repealing section two (2) thereof and by amending sections one (1), three (3), four (4), eleven (11), thirteen (13), twenty-six (26), twenty-nine (29) and thirty-two (32) thereof to read as follows:

§ 1. That any employer in this State, who does not come within the classes enumerated by section three (3) of this Act, may elect to provide and pay compensation for accidental injuries sustained by any employee arising out of and in the course of the employment according to the provisions of this Act, and thereby relieve himself from any liability for the recovery of damages, except as herein provided.

(a) Election by any employer to provide and pay compensation according to the provisions of this Act shall be made by the employer filing notice of such election with the Industrial Board.

(b) Every employer within the provisions of this Act who has elected to provide [provide] and pay compensation according to the provisions of this Act, shall be bound thereby as to all his employees covered by this Act until January 1st of the next succeeding year and for terms of each year thereafter; *Provided*, any such employer who may have once elected, may elect not to provide and pay the compensation herein provided for accidents resulting in either injury or death and occurring after the expiration of any such calendar year by filing notice of such election with the Industrial Board at least sixty days prior to the expiration of any such calendar year, and by posting such notice at a conspicuous place in the plant, shop, office, room or place where such employee is employed, or by personal service, in written or printed form, upon such employee, at least sixty (60) days prior to the expiration of any such calendar year.

(c) In the event any employer mentioned in this section, elects to provide and pay the compensation provided in this Act, then every employee of such employer, as a part of his contract of hiring or who may be employed at the time of the taking effect of this Act and the acceptance of its provisions by such employer, shall be deemed to have accepted all the provisions of this Act and shall be bound thereby unless within thirty (30) days after such hiring or after the taking effect of this Act, and its acceptance by such employer, he shall file a notice to the contrary with the Industrial Board, whose duty it shall be to immediately notify the employer, and until such notice to the contrary is given to the employer, the measure of liability of such employer shall be determined according to the compensation provisions of this Act: *Provided, however*, that any employee may withdraw from the operation of this Act upon filing a written notice of withdrawal at least ten (10) days prior to January 1st of any year with the Industrial Board, whose

duty it shall be to immediately notify such employer by registered mail, and, until such notice to the contrary is given to such employer, the measure of liability of such employer shall be determined according to the compensation provisions of this Act.

(d) Any such employer or employee may, without prejudice to any existing right or claim, withdraw his election to reject this Act by giving thirty (30) days' written notice in such manner and form as may be provided by the Industrial Board.

§ 3. The provisions of this Act hereinafter following, shall apply automatically, and without election, to all employers and their employees engaged in any of the following enterprises or businesses which are hereby declared to be extra hazardous, namely:

1. The erection, maintaining, removing, remodeling, altering or demolishing of any structure, except as provided in sub-section 8 of this section.

2. Construction, excavating or electrical work, except as provided in sub-section 8 of this section.

3. Carriage by land or water and loading or unloading in connection therewith.

4. The operation of any warehouse or general or terminal store houses.

5. Mining, surface mining or quarrying.

6. Any enterprise in which explosive materials are manufactured, handled or used in dangerous quantities.

7. In any enterprise wherein molten metal, or explosive or injurious gases or vapors, or inflammable vapors or fluids, or corrosive acids, are manufactured, used, generated, stored or conveyed in dangerous quantities.

8. In any enterprise in which statutory or municipal ordinance regulations are now or shall hereafter be imposed for the regulating, guarding, use or the placing of machinery or appliances or for the protection and safeguarding of the employees or the public therein; each of which occupations, enterprises or business are hereby declared to be extra hazardous; *Provided*, nothing contained herein shall be construed to apply to any work, employment or operations done, had or conducted by farmers and others engaged in farming, tillage of the soil, or stock raising, or to those who rent, demise or lease land for any such purposes, or to any one in their employ or to any work done on a farm or country place no matter what kind of work or service is being done or rendered.

§ 4. The term "employer" as used in this Act shall be construed to be:

First: The State, and each county, city, town, township, in incorporated village, school district, body politic, or municipal corporation therein.

Second: Every person, firm, public or private corporation, including hospitals, public service, eleemosynary, religious or charitable corporations or associations who has any person in service or under any contract for hire, express or implied, oral or written, and who is engaged in any

of the enterprises or businesses enumerated in section three (3) of this Act, or who at or prior to the time of the accident to the employee for which compensation under this Act may be claimed, shall in the manner provided in this Act, have elected to become subject to the provisions of this Act, and who shall not, prior to such accident, have effected a withdrawal of such election in the manner provided in this Act.

§ 11. The compensation herein provided, together with the provisions of this Act shall be the measure of the responsibility of any employer engaged in any of the enterprises or businesses enumerated in section three (3) of this Act, or of any employer who is not engaged in any such enterprises or businesses, but who has elected to provide and pay compensation for accidental injuries sustained by any employee arising out of and in the course of the employment according to the provisions of this Act, and whose election to continue under this Act, has not been nullified by any action of his employees as provided for in this Act.

§ 13. (a) There is hereby created a board which shall be known as the Industrial Board to consist of five members to be appointed by the Governor, by and with the consent of the Senate, two of whom shall be representative citizens of the employing class operating under this Act, and two of whom shall be representative citizens of the class of employees operating under this Act, and one of whom shall be a representative citizen not identified with either the employing or employee classes and who shall be designated by the Governor as chairman. Appointment of members to places on the first board or to fill vacancies on said board may be made during recesses of the Senate, but shall be subject to confirmation by the Senate at the next ensuing session of the Legislature.

(b) When there shall become effective the Act known as "The Civil Administrative Code of Illinois," being an Act entitled, "An Act in relation to the civil administration of the State Government," there shall thereupon be vested in the Industrial Commission and the industrial officers thereof by said Act created, all of the powers and duties vested in the Industrial Board by the Workmen's Compensation Act, and thereupon wherever in the Workmen's Compensation Act reference, shall be made to the Industrial Board, the board or to any member thereof, it shall be construed as referring and shall apply to the said Industrial Commission, the said commission, and any industrial officer thereof, respectively.

§ 26. (a) Any employer who shall come within the provisions of section three (3) of this Act and any other employer who shall elect to provide and pay the compensation provided for in this Act, shall, within ten (10) days of receipt by the employer of a written demand by the Industrial Board (1) file with the board a sworn statement showing his financial ability to pay the compensation provided for in this Act, normally required to be paid, or (2) furnish security, indemnity or a bond guaranteeing the payment by the employer of the compensation provided for in this Act normally required to be paid, or (3) insure to a reasonable amount his normal liability to pay such compensation in

some corporation, association or organization authorized, licensed or permitted to do such insurance business in this State, or (4) make some other provisions for the securing of the payment of compensation provided for in this Act, normally required to be paid, and shall, within twenty (20) days of the receipt of such written demand, furnish to the board evidence of his compliance with one of the above alternatives: *Provided*, that the sworn statement of financial ability, or security, indemnity or bond, or amount of insurance or other provisions, filed, furnished, carried or made by the employer as the case may be, shall be subject to the approval of the board, upon the approval of which the board shall send to the employer written notice of its approval thereof: *And, provided, further*, that demand shall not be made upon the employer by the board oftener than once in any calendar year.

(b) If no sworn statement or no security, indemnity or bond, or no insurance is filed, furnished or carried, or other provisions made by the employer within ten (10) days of receipt by the employer of the written demand provided for in paragraph (a), or if the statement, security, indemnity, bond or amount of insurance filed, furnished or carried, or other provision made by the employer, as provided in paragraph (a) shall not be approved by the board, and written notice of such non-approval shall be given to the employer and the employer shall not comply with one of the alternatives of paragraph (a) of this section within ten (10) days after the receipt by the employer of such written notice of non-approval, then the employer shall be liable for compensation to any injured employee, or his personal representative, according to the terms of this Act, or for damages in the same manner as if this Act had not been passed, at the option of such employee or his personal representative: *Provided*, that it shall be no defense in favor of such employer in such case that (1) the employee assumed the risks of the employment, (2) the injury or death was caused in whole or in part by the negligence of a fellow servant, (3) the injury or death was proximately caused by the contributory [contributory] negligence of the employees: *Provided*, such option is exercised, and written notice thereof is given to the employer within thirty (30) days after the accident to such employee; otherwise the employer shall be liable only for the compensation payable according to the provisions of this Act: *And, provided, further*, that if at any time thereafter the employer shall comply with any of the alternatives of paragraph (a), then as to all accidents occurring after the said compliance, the employer shall only be liable for compensation according to the terms of this Act: *And, provided, further*, that upon the failure of any employer to comply with the provisions of this section, the Industrial Board may, for the purpose of furnishing notice to the employees of such employer, publish the fact of such failure by such employer in any newspaper having a general circulation in the county where such employer does business.

§ 29. Where an injury or death for which compensation is payable by the employer under this Act, was not proximately caused by the negligence of the employer or his employees, and was caused under circumstances creating a legal liability for damages in some person other than

the employer to pay damages, such other person having also elected to be bound by this Act, or being bound thereby under section three (3) of this Act, then the right of the employee or personal representative to recover against such other person shall be subrogated to his employer and such employer may bring legal proceedings against such other person to recover the damages sustained in an amount not exceeding the aggregate amount of compensation payable under this Act, by reason of the injury or death of such employee. Where the injury or death for which compensation is payable under this Act, was not proximately caused by the negligence of the employer or his employees and was caused under circumstances creating a legal liability for damages on the part of some person other than the employer to pay damages, such other person having elected not to be bound by this Act, then legal proceedings may be taken against such other person to recover damages notwithstanding such employer's payment of or liability to pay compensation under this Act, but in such case if the action against such other person is brought by the injured employee or his personal representative and judgment is obtained and paid, or settlement is made with such other person, either with or without suit, then from the amount received by such employee or personal representative there shall be paid to the employer the amount of compensation paid or to be paid by him to such employee or his personal representative: *Provided*, that if the injured employee or his personal representative shall agree to receive compensation from the employer or to institute proceedings to recover the same or accept from the employer any payment on account of such compensation, such employer shall be subrogated to all the rights of such employee or personal representative and may maintain, or in case an action has already been instituted, may continue an action either in the name of the employee or personal representative or in his own name against such other person for the recovery of damages to which but for this section the said employee or personal representative would be entitled, but such employer shall nevertheless pay over to the injured employee or personal representative, all sums collected from such other person by judgment or otherwise in excess of the amount of such compensation paid or to be paid under this Act, and all costs, attorneys' fees and reasonable expenses incurred by such employer in making such collection and enforcing such liability.

§ 32. If any of the provisions of this Act providing for compensation for injuries to or death of employees shall be repealed or adjudged invalid or unconstitutional, the period intervening between the occurrence of any injury or death and such repeal or final adjudication of invalidity, shall not be computed as a part of the time limited by law for the commencement of any action relating to such injury or death, but the amount of any compensation which may have been paid for any such injury shall be deducted from any judgment for damages recovered on account of such injury. Any claim, disagreement or controversy existing or arising under "An Act to promote the general welfare of the people of this State, by providing compensation for accidental injuries or death suffered in the course of employment," approved June 10, 1911, in force

May 1, 1912, shall be adjusted in accordance with the provisions of said Act, notwithstanding the repeal thereof, or may by agreement of the parties be adjusted in accordance with the method of procedure provided in this Act for the adjustment of differences, jurisdiction to adjust such differences so submitted by the parties being hereby conferred upon the Industrial Board or committee of arbitration provided for in this Act.

§ 2. Section two of an Act entitled, "An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled 'An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment, approved June 10, 1911, in force May 1, 1912,'" approved June 28, 1913, in force July 1, 1913, as subsequently amended, is hereby repealed.

APPROVED June 25, 1917.

EMPLOYMENT OF MINORS.

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| § 1. Minors under fourteen years not to be employed—hours of duty. | § 8. Visitation of all places of employment by Department of Labor. |
| § 2. May employ minors between age of fourteen and sixteen in certain cases. | § 9. Regulation of hours of employment of minors under the age of sixteen. |
| § 3. List of such employees to be posted. | § 10. Minors under age of sixteen cannot be employed in certain classes of employment. |
| § 4. Employment certificate—by whom issued. | § 11. Presence of minor to be <i>prima facie</i> evidence. |
| § 5. Circumstances under which certificate is issued—school record. | § 12. Department of Labor to enforce Act. |
| § 6. Form of employment certificate—Admissibility of certificate in evidence. | § 13. Penalty. |
| § 7. Employer to return certificate to issuing officer—truant officer to be notified. | § 14. Construction. |
| | § 15. Validity of Act, or parts thereof. |
| | § 16. Repeal. |

(SENATE BILL NO. 525. APPROVED JUNE 26, 1917.)

AN ACT concerning child labor, and to repeal an Act entitled, "An Act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof," approved May 15, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no minor under the age of fourteen years shall be employed, permitted or suffered to work at any gainful occupation in, or for or in connection with, any theatre, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, therefor, within this State. That no minor under the age of fourteen years shall be employed at any work performed for wages or other compensation, to whomsoever payable, during any portion of any

month when the public schools of the school district, town, township, or village or city, in which he or she resides are in session, or be employed at any work before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. *Provided*, that no minor shall be allowed to work more than eight hours in any one day, nor more than six days in any one week; *Provided* that nothing in this section shall be construed to prevent any minor under the age of fourteen (14) years from doing voluntary work of a temporary and harmless character, for compensation, when school is not in session.

§ 2. It shall be the duty of every person, firm or corporation, agent or manager, superintendent or foreman, of any firm or corporation, employing minors over the age of fourteen and under the age of sixteen years, in or for or in connection with any theatre, concert hall or place of amusement; or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop within this State, to keep a register in said theatre, concert hall or place of amusement, or in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop in or for or in connection with which said minors shall be employed or permitted or suffered to work, in which register shall be recorded the name, age and place of residence of every minor employed or suffered or permitted to work therein, or therefor, or in connection therewith, over the age of fourteen and under the age of sixteen years; and it shall be unlawful for any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation to hire or employ or to permit or suffer to work in or for or in connection with any theatre, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, any minor over the age of fourteen and under the age of sixteen years, unless there is first procured and placed on file in such theatre, concert hall or place of amusement, or in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, an employment certificate issued as hereinafter provided and accessible to the authorized officers or employees of the Department of Labor.

§ 3. Every person, firm or corporation, agent or manager, superintendent or foreman of a corporation, employing or permitting or suffering to work five or more minors over the age of fourteen and under the age of sixteen years, in or for or in connection with, any theatre, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, shall post and keep posted in a conspicuous place in every room in or in connection with which such help is employed, or permitted or suffered to work, a list containing the name, age and place of residence of every minor over the age of fourteen and under the age of sixteen years, employed, permitted or suffered to work in or in connection with such room.

§ 4. An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools, by a person authorized by the

school board or other local school authority: *Provided*, that no member of a school board or other person authorized as aforesaid, shall have authority to issue such certificates for any minor then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employee. The person issuing these certificates shall have authority to administer the oaths provided for herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authority, to designate a place or places, (connected with their offices when practicable), where certificates shall be issued and recorded, and physical examinations made without fee, as hereinafter provided, and to establish and maintain the necessary records and clerical service for carrying out the provisions of this Act.

§ 5. The official authorized to issue an employment certificate to any minor shall issue such certificate only upon the application in person of the minor [minor] desiring employment, accompanied by the parent, guardian or custodian of such minor and after having received, examined and approved the following papers, namely:

- (a) A school record as hereinafter provided.
- (b) A certificate of physical fitness, as hereinafter provided.
- (c) Proof of age, as hereinafter provided.
- (d) A statement signed by the prospective employer, or by someone duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and of days per week, which said minor will be employed.

CONTENTS OF THE SCHOOL RECORD.] For the issuance of an employment certificate, the school record required by this Act shall be filled out and signed by the principal of the school, public or private or parochial, which the minor has last attended, or by someone duly authorized by him, and shall be furnished to any minor who may be entitled thereto. It shall certify that the said minor is able to read and write legibly, simple sentences in the English language and has completed a course of study equivalent to the work prescribed for the first five years of the public elementary schools, in spelling, reading, writing, arithmetic to and including fractions, geography and history, and has attended school for at least 130 days during the year preceding the date of his application for his first employment certificate, or between his 13th and 14th birthdays. Such school record shall also give the full name, date of birth, and residence of the minor, and the name and residence of the parent, guardian or custodian, as shown on the records of the school.

The school record shall be in the following form:

SCHOOL RECORD.

Name of parent or guardian or custodian.....
 Residence of parent or guardian or custodian.....
 Name of minor.....
 Residence of minor.....
 Date of birth of minor.....
 Signature of minor.....

I hereby certify that the above named minor is able to read and write legibly simple sentences in the English language; that he has completed the work of the.....grade in the..... school, (location).....; that he has completed a course of study equivalent to the work prescribed for the first five years of the public elementary school in spelling, reading, writing, arithmetic to and including fractions, geography and history and that he has attended school for.....days during the year preceding this date, or between his thirteenth and fourteenth birthdays.

.....
Signature of principal.

CONTENTS OF CERTIFICATE OF PHYSICAL FITNESS.] The certificate of physical fitness required by this Act for any minor shall be signed by a physician appointed by the municipal health department, the board of education, or other local school authority, and shall state that the said minor has been thoroughly examined by the said physician at the time of his application for an employment certificate, and is physically qualified for the employment specified in the statement submitted in accordance with the requirements of this section.

EVIDENCE OF AGE.] The evidence of age required by this Act shall consist of one of the following proofs of age which shall be required in the order herein designated.

(a) A duly attested transcript of the birth certificate, furnished free by the State, filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording birth; or,

(b) A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date of birth, and place of baptism; or,

(c) A passport showing the age of the minor; or,

(d) In case none of the aforesaid proofs of age shall be obtainable, and only in such case, the issuing officer may accept, in lieu thereof, other documentary record of age (such as official certificate of arrival in the United States, *bona fide* Bible record, confirmation certificate or life insurance policy which are at least one year old at the time of the minor's application for the permit), or transcript thereof, duly certified which shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age; or in case none of the aforesaid proofs of age shall, in the judgment of the officer having power to issue employment certificates, be obtainable, such officer may accept in lieu thereof a written statement signed by the head teacher or principal of the public or private school which such child has attended, certifying that he or she was in.....grade, and can read and write legibly simple sentences in English, and further certifying the name, age place and date of birth of such child as shown by the official records of such school for at least two years during the period such minor was in attendance thereat; or,

(e) In case none of the aforesaid proofs of age shall be obtainable, and in such cases only, the issuing officer may accept, in lieu thereof, the signed statement of two physicians, at least one of whom shall be a public health officer or public school physical inspector, stating that they

have separately examined the minor and that in their opinion the minor is at least 14 years of age.

§ 6. All employment certificates shall be issued in triplicate, one of which shall be forwarded by mail by the issuing officer to the prospective employer of the minor for whom the employment certificate is issued, and another of which shall be forwarded to the properly authorized officer of the Department of Labor, and a third of which shall be filed in the issuing office.

Whenever an employment certificate shall be refused to a minor, the name and present residence of such minor, and the school record issued to such minor, shall be forwarded by the official refusing to issue the certificate, to the principal of the school which such minor should attend, or to the compulsory attendance or truant officer.

In any prosecution for a violation of this Act, the employment certificate shall be admissible as *prima facie* evidence of the facts set forth therein.

Any explanatory matter may be printed upon such certificate in the discretion of the board of education or other local school authority.

The employment certificate shall be signed by the officer duly authorized by the board of education or other local school authority and by the minor and shall be in the following form:

The office of.....(city).....(State.).....

EMPLOYMENT CERTIFICATE.

This certifies that I have made a careful examination of all the proofs, documentary and otherwise, required by section 5 of an Act entitled, "An Act concerning child labor" approved..... and in force....., for.....(name of minor), and find the following:

a. That the above named minor can read and write legibly, simple sentences in the English language, and has completed the work of thegrade in the.....school, and that he has attended school at least 130 days during the year previous to this date, or between his thirteenth and fourteenth birthdays.

(b) That the above named minor is physically fit to do the work specified in the statement submitted in accordance with the requirements of section 5 of the aforesaid Act; and that his height is (feet and inches)....., weight....., complexion (fair or dark)....., hair (color).....

(c) That he or she was born at (city, state or country)..... on the.....day of..... 19...., as shown by.

(d) That (name of employer).....of (address).....has promised the said minor present employment at (character of the work).....forhours per day and.....days per week.

Officer duly authorized by the superintendent of the board of education (or other local school authority) of.....(city), to issue employment certificates.

This certificate belongs to the board of education (or other local school authority) and is to be returned to this office within three days after (name of minor) leaves the service of the employer holding the same.

§ 7. It shall be the duty of every person who shall employ any minor under the age of 16 years to acknowledge in writing to the official issuing the same, the receipt of the employment certificate, within three days after the beginning of such employment. On termination of the employment of a minor under the age of 16 years the employment certificate issued to such minor shall be returned by mail, by the employer to the official issuing the same, immediately on the demand of the minor for whom the certificate was issued, or otherwise, within three days after the termination of said employment. The official to whom the certificate is so returned shall file said certificate, and notify the compulsory attendance or truant officer. Any minor whose certificate has been returned as above provided, shall be entitled to a new employment certificate upon presentation of a statement from a prospective employer as hereinabove provided, accompanied by a certificate of physical fitness issued in a manner as hereinabove provided and based upon a re-examination of the minor, and certifying that the minor is physically fit to undertake the work specified in the statement submitted in accordance with the requirements of section 5 of this Act.

§ 8. The Department of Labor, through its authorized officers or employees, shall visit all theatres, concert halls or places of amusement, all mercantile institutions, stores, offices, hotels, laundries, manufacturing establishments, mills, canneries, factories or workshops, and all other places where minors are or may be employed, in this State, and ascertain whether any minors are employed contrary to the provisions of this Act. Such officers and employees may require that employment certificates, and all lists of minors employed in, or for or in connection with, such theatres, concert halls or places of amusement, and such mercantile institutions, stores, offices, hotels, laundries, manufacturing establishments, mills, canneries, factories or workshops and all other places where minors are employed as provided for in this Act shall be produced for their inspection on demand.

And, provided, that upon written complaint to the school board or other local school authorities of any city, town, district, or municipality, that any minor (whose name shall be given in such complaint) is employed in, or for or in connection with, any theatre, concert hall or place of amusement, or any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mill, cannery, factory or workshop, contrary to the provisions of this Act, it shall be the duty of such school board or other local school authorities, to report the same to the Department of Labor.

§ 9. No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than six days in any one week, nor more than eight hours in any one day; or before the hour of seven o'clock in the morning, or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous

place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals, begins and ends. The printed form of such notice shall be furnished by the Department of Labor, and the employment of any such minor for longer time in any day so stated, or more than six days in any one week, shall be deemed a violation of this section:

§ 10. No minors under the age of sixteen years shall be employed at sewing belts, in any capacity whatever; nor shall any minors adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning any machinery; they shall not operate or assist in operating circular or band-saws, wood-joiners, planers, sand-paper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet-metal and tinware manufacturing, stamping machines in washer and nut factories, corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating or assisting to operate any passenger or freight elevator, steam-boiler, steam machinery or other steam generating apparatus; they shall not operate or assist in operating dough braker or cracker-machinery of any description; wire or iron-straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall minors under the age of sixteen years be employed in any mine or quarry; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in any employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any bowling alley, nor in any theatre, concert hall or place of amusement wherein intoxicating liquors are sold; nor shall any females under the age of sixteen years be employed in any capacity where such employment requires them to remain standing for and during the performance of their work.

§ 11. The presence of any minor under the age of sixteen years in any manufacturing establishment, factory or workshop, or in any other place in which such minor is by this Act prohibited from working shall constitute *prima facie* evidence of his or her employment therein.

§ 12. It shall be the special duty of the Department of Labor to enforce the provisions of this Act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the authorized officers and employees of the Department of Labor, and they are hereby authorized and empowered, to visit and inspect, at all reasonable times and as often as possible, all places covered by this Act.

§ 13. Whoever, having under his control a minor under the age of sixteen years, permits such minor to be employed in violation of the

provisions of this Act, shall for each offense be fined not less than \$5.00 nor more than \$25.00, and shall stand committed until such fine and costs are paid.

Every person authorized to sign any of the certificates prescribed by section 5 and section 6 of this Act, who certifies to any materially false statement therein, shall be guilty of a violation of this Act, and upon conviction thereof, shall be fined not less than \$5.00 nor more than \$100.00 for each offense, and shall stand committed until such fine and costs are paid.

A failure to produce to the authorized officers or employees of the Department of Labor, or to the school attendance officers, any employment certificate or list required by this Act, shall constitute a violation of this Act.

Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether for himself or for such firm or corporation, or by himself or through sub-agent, or manager, superintendent or foreman, who shall violate or fail to comply with any of the provisions of this Act, or shall refuse admittance to premises or otherwise obstruct the officers or employees of the Department of Labor, in the performance of their duties as prescribed by this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than \$5.00 nor more than \$100.00 for each offense, and shall stand committed until such fine and costs are paid.

§ 14. No provision of this Act shall be construed so as to deprive any minor under the age of sixteen years, who is now employed under the provisions of an Act entitled, "An Act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof," approved May 15, 1903, in force July 1, 1903, of that employment or other employment.

§ 15. The invalidity of any portion of this Act shall in no way affect the validity of any other portion thereof which can be given effect without such invalid part.

§ 16. "An Act to regulate the employment of children in the State of Illinois and to provide for the enforcement thereof," approved May 15, 1903, and in force July 1, 1903, and all other Acts and parts of Acts in conflict with this Act are hereby repealed.

APPROVED June 26[,] 1917.

EMPLOYMENT OFFICES AND AGENCIES.

§ 1. Amends Act of 1903, by adding section 1d.

§ 1d. To assist discharged and paroled convicts to obtain employment.

(SENATE BILL NO. 74. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled: "An Act relating to employment officers [offices] and agencies," approved and in force May 11, 1903, as subsequently amended, by adding a new section thereto, to be known as section 1d.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled; "An Act

relating to employment offices and agencies," approved and in force May 11, 1903, as subsequently amended, be and the same is hereby amended, by adding a new section, to be known as section 1d, which new section shall read as follows:

§ 1d. It shall be the duty of the Department of Labor to obtain from the Department of Public Welfare[,] ninety days before the discharge of any convict from either penitentiary, or of the discharge of a prisoner from the reformatory, the name, occupation, and such other information as may be of aid in obtaining employment for such discharged convict or prisoner.

The Department of Labor[,] through the several free employment offices, shall seek to provide proper employment for discharged convicts or prisoners, so that such employment may be available at the time of such discharge, and shall assist such discharged prisoners to retain suitable employment for such reasonable time as will afford such prisoners an opportunity to become self-reliant, to the end that every man shall be encouraged in his effort to go straight. In no instance shall there be any misrepresentation as to the records of persons for whom employment is sought, under the provisions of this section.

The Department of Labor through the several free employment offices shall also cooperate with the Department of Public Welfare to secure suitable employment for paroled convicts or prisoners and to help them retain such employment during the period of their parole and for such reasonable time thereafter as shall afford such convicts or prisoners an opportunity to become self-reliant.

APPROVED June 22[,] 1917.

ILLINOIS INDUSTRIAL SURVEY—STUDY OF INDUSTRY IN WHICH WOMEN ARE ENGAGED.

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| § 1. Commission created — qualification. | § 4. Expenses—per diem. |
| § 2. Survey of industries—report. | § 5. Appropriation. |
| § 3. Power to employ assistants—compensation—oaths. | |

(SENATE BILL NO. 612. APPROVED JUNE 22, 1917.)

AN ACT *to provide for the creation of a commission for the study of the conditions of industry in which women are engaged, to be known as the Illinois Industrial Survey, and defining the powers and duties thereof, and making an appropriation therefor.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the general Assembly:* That there is hereby created a commission of seven members for the purpose of studying the conditions of industry in which women are engaged as workers, to be known as the Illinois Industrial Survey, two of whom shall be employers of labor in industry in which women are employed, two of whom shall be representative of women workers in industry, one a person interested in social problems, not known to be a representative of either labor or capital, and two of whom shall be persons who have had a medical education and are not distinctly representatives of either labor or capital, all of whom shall be appointed by the Governor to hold office as members of said commission

until the convening of the Fifty-first General Assembly, at which time said commission shall go out of existence. The Governor shall designate the chairman of the commission.

§ 2. It shall be the duty of such commission to make a complete survey of all those industries in Illinois, in which women are engaged as workers, with special reference to the hours of labor for women in such industries, the effect of such hours of labor upon the health of women workers, and to make a report to the Governor not later than December first, [1,] 1918, for transmission to the Fifty-[first] First General Assembly, with the recommendations if any, of the commission.

§ 3. The commission shall have power to employ such clerks and assistants as may be necessary and to fix their compensation and may incur such other expenses as are properly incidental to the work of the commission. It shall have power to administer oaths and to take the testimony of witnesses, necessary for this Act.

§ 4. The expense of said commission, including a reasonable per diem to the members thereof not to exceed ten dollars per day for the time actually spent in such investigation, shall be paid out of funds to be appropriated for that purpose, upon vouchers drawn upon the Auditor of Public Accounts, properly itemized and certified to by the chairman of the commission and approved by the Governor.

§ 5. The sum of ten thousand (10,000) dollars, or so much thereof as may be necessary, is hereby appropriated for the expenses of the commission, and the Auditor of Public Accounts is hereby authorized to draw his warrants for the foregoing amount or any part thereof, in payment of any expenses, charges or disbursements, authorized by this Act, properly itemized and certified to by the chairman of the commission and approved by the Governor.

APPROVED June 22, 1917.

LICENSING OF PLUMBERS.

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| § 1. Every person engaged in plumbing to receive a certificate. | § 6. Where application for examination is to be made—renewal certificates—duty of boards of examiners to furnish names and addresses to Department of Registration and Education. |
| § 2. Applicants to be examined. | |
| § 3. Board of examiners in each city of over 10,000 inhabitants—appointment—term of office. | § 7. Department of Registration and Education to enforce Act. |
| § 4. Duties of board—fees for certificates. | § 8. Penalties—revocation of licenses. |
| § 5. Regulation of plumbing to be by ordinance. | § 9. Act of 1897 repealed—Act not to apply to interstate carriers. |

(SENATE BILL NO. 89. FILED JUNE 29, 1917.)

AN ACT to provide for the licensing of plumbers, and to provide for the supervision and inspection of plumbing and providing penalties for the violation thereof, and to repeal an Act entitled "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing" approved June 10th, 1897, in force, July 1st, 1897, and all amendments thereto and all Acts and parts of Acts inconsistent herewith.

SECTION 1. PERSONS WORKING AS PLUMBER TO RECEIVE CERTIFICATE. *Be it enacted by the People of the State of Illinois, represented*

in the General Assembly, Any person now or hereafter engaging in or working at the business of plumbing in this State, either as a master plumber or employing plumber or as a journeyman plumber shall first receive a certificate thereof in accordance with the provisions of this Act.

§ 2. Any person desiring to engage in or work at the business of plumbing either as a master plumber or employing plumber or as a journeyman plumber, shall make application to a board of examiners, hereinafter provided for and shall at such time and place as such board may designate be compelled to pass such examination as to his qualifications as said board with the approval of the Department of Registration and Education may direct; said examination may be made in whole or in part in writing and shall be fair and impartial and of a practical and elementary character but sufficiently strict to test the qualifications of the applicant.

§ 3. That there shall be in every city, town or village of 10,000 inhabitants or more, a board of examiners of plumbers, consisting of three members, one of which shall be the chairman of the board of health, health officer, or commissioner of health as the case may be, who shall be *ex officio* chairman of said board of examiners; a second member who shall be a master plumber and third member who shall be a journeyman plumber. Said second and third member shall be appointed by the mayor and approved by the city council or city commissioners, or board of trustees of said town or village, within three months after the passage of this Act for the term of one year from the first day of May in the year of appointment and thereafter annually before the first day of May and shall hold office until their successors are appointed and shall be paid from the treasury of said city, town or village, the same as other officers in such sums as the authorities may designate.

§ 4. Said board of examiners shall, as soon as may be after appointment, meet and then designate the dates and places for the examination of all applicants desiring to engage in or to work at the business of plumbing within their respective jurisdiction. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation and if satisfied of the competency of such applicant shall thereupon issue a certificate to such applicant authorizing him to engage in or work at the business of plumbing, whether as a master plumber, employing plumber, or as a journeyman plumber.

The fee for a certificate for a master plumber or employing plumber shall be \$50.00; for a journeyman plumber the fee shall be \$1.00. Said certificate shall be valid and have force throughout the State for a period of one year from date of issuance and may be renewed upon its expiration by payment in advance of an annual renewal fee of \$10.00 for the certificate of a master plumber or employing plumber and the payment in advance of an annual renewal fee of \$1.00 for the certificate of a journeyman plumber. All certificate and renewal fees received for said certificate to be paid into the treasury of the city, town or village where said certificate is issued: *Provided, however*, that all such persons residing outside of a city, town or village, having a board of examiners of

plumbers shall pay their fees for renewal to the Department of Registration and Education as provided in section 6 of this Act.

§ 5. Each city, town or village in this State having a system of water supply or sewerage, shall by ordinance or by-law within three months of the passage of this Act and with the advice of the Department of Public Health, prescribe rules and regulations for the materials, constructions, alteration and inspection of all plumbing and sewerage placed in or in connection with any building in such city, town or village; and the board of health or proper authorities shall further provide that no plumbing work shall be done except in case of repairing of leaks without a permit being first issued therefor and upon such terms and conditions as such city, town or village shall prescribe.

§ 6. All persons who are required by this Act to take examinations and to procure a certificate as required by this Act, shall apply to the board of examiners of plumbers in the city, town or village where he resides: *Provided, however*, an applicant residing outside of a city, town or village having a board of examiners of plumbers, shall apply to the board of examiners of plumbers, nearest his place of residence: *Provided, however*, that all such persons who reside outside a city, town or village having a board of examiners of plumbers, shall apply to and receive his renewal certificate from the Department of Registration and Education, and he shall pay the renewal fee as provided for herein, to the Department of Registration and Education. All fees received by the Department of Registration and Education for such renewals shall be paid into the State treasury. It shall be the duty of such board of examiners of plumbers in such cities, towns or villages, to furnish the Department of Registration and Education with the name and address of each person who may apply or to whom it has issued a certificate, or a renewal certificate within thirty days from the date of issue of said certificate.

§ 7. It shall be the duty of the Department of Registration and Education to see that the provisions of this Act are enforced. The Department of Registration and Education shall have the power by and with the advice and acquiescence of the Attorney General of this State to institute mandamus proceedings in the name of the People of the State of Illinois, against the officers or corporate government of any city, town or village in this State which does not comply with the provisions of this Act to compel the observance of these provisions. The State Department of Registration and Education may also institute and prosecute suits for the recovery of any penalty provided for in this Act. The Attorney General shall assist in instituting and prosecuting all such proceedings upon application of the State Department of Registration and Education.

§ 8. Any person violating any provision of this Act shall be guilty of a misdemeanor and be subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each and every violation therefor and whenever such person has a plumber certificate the same may be revoked by the Department of Registration and Education: *Provided*, that no certificate shall be revoked before the holder thereof has been given reasonable notice of the charge against him and an oppor-

tunity for a full hearing before the Department of Registration and Education. For the purpose of conducting such hearings the Director of Registration and Education shall appoint three competent, reputable and licensed plumbers. The action or report in writing of a majority of the persons designated, shall be sufficient authority upon which the Director of Registration and Education may act.

§ 9. An Act entitled, "An Act to provide for the licensing of plumbers and to supervise and inspect plumbing," approved June 10, 1897, in force July 1, 1897, and all amendments thereto and all Acts and parts of Acts inconsistent herewith are hereby repealed: *Provided, however,* that any certificate heretofore lawfully issued entitling the holder to engage in or work at the business or trade of plumbing in this State shall during the unexpired period for which such certificate was issued, serve the same purpose as the certificate provided for by this Act.

And, provided, further, that the provisions of this Act shall not apply to plumbers regularly employed by any common carrier engaged in interstate commerce, and engaged exclusively in work on the premises of such carrier.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

FEES AND SALARIES.

JUSTICES OF THE PEACE AND POLICE MAGISTRATES.

§ 1. Amends section 40, Act of 1872.

§ 40. Provides fifty cents for taking each bond, and issuance of each venire.

(HOUSE BILL No. 824. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "An Act concerning fees and salaries to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, the title of which Act was amended as above on March 28, 1874, in force July 1, 1874, and subsequent Acts amendatory thereto, by amending section 40 of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, the title of which Act was amended as above on March 28, 1874, in force July 1, 1874, and subsequent Acts amendatory, thereto, be and the same is hereby amended by amending section 40 of the said Act to read as follows:

§ 40. Justices of the peace and police magistrates in counties of the First, Second and Third Classes, shall be entitled to the following fees;

For taking and certifying acknowledgment of a deed, mortgage, power of attorney or other writing, twenty-five cents. For acknowledg-

ment of chattel mortgage, thirty-five cents, and fifteen cents for each folio over one hundred words for docketing the same. For administering oath to affidavit, when drawn by justice, thirty-five cents. For administering oath to affidavit, when not drawn by justice, ten cents. For taking each bond fifty-cents. For taking bail, fifty cents. For each certificate required to be made, when not part of any other act, thirty-five cents. For taking each complaint in writing, under oath, thirty-five cents. For docketing each suit, twenty-five cents. For taking deposition, for each one hundred words, fifteen cents. For issuing dedimus to take depositions of witnesses, fifty cents. For entering verdict of jury, fifteen cents. For entering judgments, twenty-five cents. For issuing each execution, twenty-five cents. For entering continuance, or any other order in the case, fifteen cents. For entering each appeal, twenty-five cents. For entering satisfaction of judgment, ten cents. For entering the award of referees, fifty cents. For administering oaths and trail [trial], making all entries in cases of estrays, and making and transmitting a certificate thereof to the county clerk, one dollar. For each marriage ceremony performed and certificate thereof, two dollars. For each mittimus, thirty-five cents. For giving each notice, twenty-five cents. For administering oaths, five cents. For each summons or warrant, twenty-five cents. For each subpoena, twenty-five cents. For each venire in all cases, fifty cents. For each scire facias, thirty-five cents. For issuing each attachment or writ of possession, fifty cents. For taking recognizances, and returning the same, fifty cents. For transcript in change of venue, fifty cents. For transcript of judgment and proceedings in cases of appeal, fifty cents. For transcript of judgment to obtain lien on real estate, one dollar. For the trail [trial] of all contested cases, in counties of the first, second and third class, a per diem of two dollars, except in cases of judgment by confession or default. In all counties of the first, second and third class the fees of the justices of the peace, police magistrates, constables, jurors and witnesses in criminal cases, shall be the same as those allowed for similar services in civil cases, and in all criminal cases where the fees cannot be collected of the party convicted, or where the prosecution fails, the county board, shall after the State's attorney has certified that the same are just and equitable, direct that the cost of the prosecution, or so much thereof as shall seem just and equitable, shall be paid out of the county treasury; *Provided*, that the costs in criminal and quasi criminal prosecutions for the violation of an ordinance of an incorporated city, town, or other municipal body where the provisions of the charters of such towns, cities or municipal bodies do not prohibit the payment of such costs, may be paid by such city, town or other municipal body in the discretion of the city council or board of trustees or commissioners of such incorporated cities, towns or other municipal bodies; *Provided*, that in counties of the third class the justice or police magistrate shall be entitled to collect two dollars in advance, which shall be applied toward the payment of costs taxed in the case.

FILED June 28, 1917:

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

MASTERS IN CHANCERY.

§ 1. Amends section 20, Act of 1872.

§ 20. Fees of.

(HOUSE BILL NO. 561. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act concerning fees and salaries and to classify the several counties of this State with reference thereto,*" approved March 29, 1872, in force July 1, 1872, as subsequently amended by amending section 20 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act concerning fees and salaries and to classify the several counties of this State with reference thereto,*" approved March 29, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended by amending section 20 thereof, so that the said section when amended shall read as follows:

§ 20. For administering oaths and signing jurat, when not taking evidence or depositions, ten cents. For taking acknowledgment or proof of any deed, or written instrument, twenty-five cents. For taking depositions and certifying, for every one hundred words, fifteen cents. For taking and reporting testimony under order of court, the same fee as for taking depositions. For computing the amount due on which to render a decree, and making a report thereof to the court, where no oral evidence is taken, two dollars. For examining questions of law and fact in issue by the pleading, and reporting conclusions, whenever specially ordered by the court, a sum not exceeding ten dollars. For making sales and deeds thereon, the same fees and allowances as sheriffs; but in no suit or other proceeding, shall such fee and commission exceed two hundred dollars. For making a deed alone, on other cases, when required by order or decree of court, three dollars. For report of sale in every suit or proceeding when a sale is had, two dollars. For hearing and deciding application for writs of *ne exeat* or injunction, to be advanced by the complainant and taxed with costs, five dollars. For ordering, or refusing to order, a writ of habeas corpus or certiorari, one dollar. And no other fee or allowance whatever shall be made for services by masters in chancery: *Provided*, that in any case where a special master in chancery has been appointed, and no sale is had, he shall receive for his services such compensation as shall be fixed by the court and taxed as other costs in the case and for the purpose of fixing compensation, the court may hear testimony as to the services performed by such special master in chancery. But in all other cases a special master in chancery shall receive for his services the same fees as those allowed by law to the master in chancery.

In counties of the third class, masters in chancery may receive for examining questions in issue referred to them, and reporting conclusions thereon, and also in cases where the defendants are in default but under the order of reference the master is required to find and report conclusions, such compensation as the court may deem just; and for services not enumerated above in this section and which have been and may be imposed by statute or special order they may receive such compensation as

the court may allow. The court may also include as a part of such master's fees a reasonable allowance not to exceed fifteen cents per hundred words for stenographer's services in cases where the master shall certify that a stenographer was necessarily employed, and shall attach to his report a certified copy of the testimony taken by such stenographer.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

STATE'S ATTORNEYS AND ASSISTANTS.

§ 1. Amends Act of 1912, by adding new section 7.

§ 7. Action to recover fees void after five years.

(SENATE BILL NO. 505. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act fixing and providing for the payment of salaries of State's attorneys and their assistants, defining their duties, providing for the appointment of assistants, and to provide for the collection and disposition of the fees provided by law to be paid to the State's attorneys, and to repeal all Acts in conflict therewith,*" approved June 11, 1912, in force July 1, 1912, and sections three (3) and four (4) thereof as amended by an Act approved June 27, 1913, in force July 1, 1913, by adding thereto a new section to be known as section seven (7).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act fixing and providing for the payment of salaries of State's attorneys and their assistants, defining their duties, providing for the appointment of assistants, and to provide for the collection and disposition of the fees provided by law to be paid to the State's attorneys, and to repeal all Acts in conflict therewith,*" approved June 11, 1912, in force July 1, 1912, and sections three (3) and four (4) thereof as amended by an Act approved June 27, 1913, in force July 1, 1913, be and the same is hereby amended by adding to said Act a new section, said section to be known and called section seven (7), as follows:

§ 7. No action at law or in equity shall be brought or instituted in any court in this State to recover any fees, commissions, collections or upon the account of any State's attorney heretofore elected or appointed under this Act, or elected or appointed under any former Act, unless such suit, action or proceeding shall be commenced by the proper authority, political subdivision or municipal corporation within five (5) years after said cause of action may have accrued, and within five (5) years after the receipt or collection of any such fees, commissions or collections by any of such State's attorneys, and after such period of five years shall have elapsed the bonds of such State's attorney shall become void unless such suit or proceeding or statement of accounts shall have been had or made without the period as aforesaid[:]. *Provided* that any cause, suit or action at law or in equity, that might or could be commenced, except for the provisions of this Act, and is by the terms

of this Act barred, may be commenced at any time prior to January 1, A. D. 1918.

APPROVED June 25, 1917.

FENCES.

ACT OF 1874 AMENDED.

§ 1. Amends section 2, 5, 7 and 11, Act of 1874.

§ 2. What construes a legal fence.

§ 5. Value of fence — how ascertained.

§ 7. How disputes settled.

§ 11. Neglect to repair — recovery of damages.

(HOUSE BILL NO. 50. FILED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to fences,*" approved March 21, 1874, in force July 1, 1874, as amended by subsequent Acts, by amending sections 2, 5, 7 and 11 respectively thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to fences,*" approved March 21, 1874, in force July 1, 1874, as amended by subsequent Acts, be and the same is hereby amended by amending sections 2, 5, 7 and 11 respectively thereof, so that said sections when amended shall read as follows:

§ 2. Fences four and one-half feet high, and in good repair, consisting of rails, timber boards, stone, hedges, barb wire, woven wire or whatever the fence viewers of the town or precinct where the same shall lie shall consider equivalent thereto suitable and sufficient to prevent cattle, horses, sheep, hogs and other stock from getting on the adjoining lands of another, shall be deemed legal and sufficient fences: *Provided*, that in counties under township organization, the electors, at any annual town meeting, may determine what shall constitute a legal fence in the town; and in counties not under township organization, the power to regulate the height of fences shall be vested in the county board.

§ 5. The value of such fence, and the proportion thereof to be paid by such person, and the proportion of the division fence to be made and maintained by him, in case of his inclosing his land, may be determined by two fence viewers of the town, in counties under township organization, and in other counties by any two fence viewers of the precinct; or, at the option of the aggrieved party, such value or proportion may be ascertained in an action brought by him before a justice of the peace or in any other court of competent jurisdiction.

§ 7. If disputes arise between the owners of adjoining lands concerning the proportion of fence to be made or maintained by either of them, such dispute may be settled by any two of the fence viewers of the town or precinct, as the case may be, and in such cases it shall be the duty of the two fence viewers to distinctly mark and define the proportion of the fence to be made or maintained by each.

§ 11. If any person who is liable to contribute to the erection or reparation of a division fence shall neglect or refuse to make or repair

his proportion of such fence, the party injured, after giving sixty days' notice, in writing, that a fence should be erected, or ten days' notice, in writing, that the reparation of a fence is necessary, may make or repair the same at the expense of the party so neglecting or refusing, to be recovered from him, with costs of suit, before a justice of the peace or any other court of competent jurisdiction; and the party so neglecting or refusing, after notice in writing, shall be liable to the party injured for all damages which shall thereby accrue.

FILED June 11, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this eleventh day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

FLAGS.

ILLINOIS CENTENNIAL COMMISSION OFFICIAL STATE BANNER OR FLAG.

§ 1. Official State banner or flag authorized.

§ 2. Design.

§ 3. Official Centennial flag.

(HOUSE BILL NO. 680. APPROVED JUNE 25, 1917.)

AN ACT *authorizing the Illinois Centennial Commission to have an official State banner or flag.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Illinois Centennial Commission be and is hereby authorized and permitted to have and to use a State banner or flag commemorating the centennial anniversary of the admission of the State of Illinois into the Federal Union, subject to the restrictions provided by the laws of the United States and of the State of Illinois as to the United States flag or ensign, the design for which banner or flag had been approved by said commission and is as herein described.

§ 2. Said banner or pennant shall consist of three horizontal stripes in proper proportion as to length and width, the upper and the lower stripes being white in color and the middle stripe national blue in color, said stripes being of such dimensions that they will appear of equal width. At the staff end of the flag or emblem there shall be ten stars, blue in color in the upper white stripe, and ten stars, blue in color in the lower white stripe, each group of said ten stars being arranged in four rows as follows: Four blue stars in the first row near the staff end of the flag or emblem, three blue stars in the second row, two blue stars in the third row, and one blue star in the fourth or last row, in such a manner that four of said blue stars in each white stripe shall face the staff end and four of said blue stars shall also face the middle or blue stripe. In the center blue stripe, near the staff end of said blue stripe, and in a proper relative position between the two star fields on the two white stripes, there shall be one single white star of a larger size than the stars on the white stripes representing Illinois, the twenty-first State admitted to the Union.

§ 3. The Illinois centennial banner or flag as described in this Act shall be the official centennial flag or pennant used in the celebration of the one hundredth anniversary of the admission of Illinois into the Federal Union.

APPROVED June 25, 1917.

RETURN OF SECOND TENNESSEE CAVALRY FLAG, C. S. A.

§ 1. Custodian of Memorial Hall directed to return flag—committee to receive flag.

(HOUSE BILL No. 842. APPROVED JUNE 26, 1917.)

AN ACT to authorize the return of the regimental flag of the Second Tennessee Cavalry, C. S. A.

WHEREAS: The battle or regimental flag of the Second Tennessee Cavalry, C. S. A., was captured by an Illinois regiment in August of the year 1864; and

WHEREAS: Said battle or regimental flag is now in Memorial Hall in the city of Springfield, Illinois; and

WHEREAS: It is customary to return flags and other trophies of the Civil War to their original donors or owners; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the custodian of Memorial Hall in the said city of Springfield, is hereby authorized and directed to give, deliver and return the battle or regimental flag of the Second Tennessee Cavalry, C. S. A. to the chairman of a committee to be appointed by the proper officer or officers of the Tennessee division of the United Confederate Veterans, Nashville, Tennessee, for the purpose of receiving such battle or regimental flag from the custodian of said Memorial Hall.

APPROVED June 26, 1917.

FORESTRY.

FOREST PRESERVE DISTRICTS—ACT OF 1913 AMENDED.

§ 1. Amends Act of 1913, by adding section 8a.

§ 8a. Appointment of police force—powers.

(SENATE BILL No. 572. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled[,]: "*An Act to provide for the creation and management of forest preserve districts and repealing certain Acts therein named,*" approved June 27, 1913, in force July 1, 1913, by adding thereto a new section, to be known as section 8a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to provide for the creation and management of forest preserve districts and repealing certain Acts therein named,*" approved June 27, 1913, in force July 1, 1913, be and the same is hereby amended by adding thereto a new section to be known as section 8a, to read as follows:

§ 8a. The board of commissioners shall have the right and power to appoint and maintain a sufficient police force, the members of which may have and exercise police powers over the territory within such forest

preserves for the preservation of the public peace, and the observance and enforcement of the ordinances and laws, such as are conferred upon and exercised by the police of organized cities and villages; but such police force, when acting within the limits of any city or village, shall act in aid of the regular police force of such city or village and shall then be subject to the direction of its chief of police, city or village marshals, or other head thereof.

APPROVED June 22, 1917.

GENERAL ASSEMBLY.

OFFICERS AND EMPLOYEES.

§ 1. Amends sections 5 and 9, Act of 1911.

§ 9. Pay of officers and employees.

§ 5. Appointments — no additions to list of employees enumerated, except by a two-third vote.

§ 2. Emergency.

(HOUSE BILL NO. 192. APPROVED MARCH 14, 1917.)

AN ACT to amend sections five (5) and nine (9) of an Act entitled, "An Act to provide for the election and appointment of officers and employees of the General Assembly of the State and fix their compensation and to repeal certain Acts therein named,["] approved and in force May 25, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections five (5) and nine (9) of an Act entitled, "An Act to provide for the election and appointments of officers and employees of the General Assembly of the State and fix their compensation and to repeal certain Acts therein named," approved and in force May 25, 1911, be and the same are hereby amended to read as follows:

§ 5. The Senate shall appoint a messenger; and the house shall appoint a messenger and the Senate and House of Representatives shall appoint six (6) janitors in the Senate and two (2) cloak room men and eight (8) janitors in the House and four (4) cloak room men, three (3) policemen and ten (10) pages in the Senate and six (6) policemen and eighteen (18) pages in the House of Representatives; and eight (8) stenographers in the Senate and sixteen (16) stenographers in the House of Representatives; and the House shall appoint one press messenger. The Speaker of the House and the President of the Senate shall appoint a mail-carrier at the same *per diem* as policemen, to have charge of, and be responsible for the transmission of the mail matter for either branch of the General Assembly to and from the postoffice of the city, and the State House, and also a chaplain for each branch of the General Assembly at a *per diem* of three (\$3) dollars: *Provided*, that to the list of employees designated in this section there shall be allowed no additions whatever, except by a two-thirds (2/3) vote on roll call of the total membership in either house.

§ 9. The enrolling and engrossing clerks of the Senate and House, and the sergeant-at-arms of the Senate and door-keeper of the House shall each be paid five (\$5) dollars per day each; the postmaster of the Senate and the postmaster of the House, and the assistant enrolling and engrossing clerks of the Senate and of the House shall each be paid four (\$4) dollars per day; the assistant postmaster of the Senate, the assistant postmaster of the House, the assistant sergeants of the Senate and the assistant door-keepers of the House and the clerks of the various committees and the stenographers of the Senate and House shall each be paid three (\$3) dollars per day. The private secretaries of the President of the Senate, and the Speaker of the House shall be paid the sum of four (\$4) dollars per day; their respective stenographers four (\$4) dollars per day; their messengers and janitors, three (\$3) dollars per day. Policemen employed by either branch of the General Assembly shall be paid three (\$3) dollars per day. The pages employed by either branch of the General Assembly shall be paid the sum of one and one-half (\$1.50) dollars per day; the janitors employed in the Senate and House of Representatives shall be paid three (\$3.00) dollars per day; the cloak room men employed in the Senate and House of Representatives shall be paid three (\$3.00) dollars per day each. The Senate law secretary shall be paid ten (\$10) dollars per day and the legal secretary of the Speaker shall be paid ten (\$10) dollars per day; the messenger of the Senate and the messenger of the House shall each be paid six (\$6) dollars per day. The press messenger in the House shall be paid four (\$4) dollars per day.

§ 2. WHEREAS, an emergency exists; therefore this Act shall take effect and be in force from and after its passage and approval.

APPROVED March 14, 1917.

GUARDIANS AND WARDS.

TRANSFER OF GUARDIANSHIP.

§ 1. Amends Act of 1872, by adding section 39a.

§ 39a. Provides for transfer of guardianship in certain cases.

(HOUSE BILL NO. 879. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as subsequently amended, by adding thereto a new section to be known as section 39a.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as subsequently amended, be, and the same is hereby amended by adding thereto a new section to be known as section 39a, to read as follows:

§ 39a. Whenever it shall appear to the court granting letters of guardianship, that the guardian or the ward, or the corpus of the estate, or a major portion thereof is removed from the county into another county in this State, and that it would be for the best interest of the

ward or his estate that the estate be administered in the county to which such guardian, ward or estate is removed, the court shall have power by an order entered therein, to transfer such guardianship to such other county, and to order or authorize the issuance of certified copies of all petitions, applications, reports and orders in the estate: *Provided however*, that such order shall not be entered until it shall appear to the court having original jurisdiction that a guardian has been duly appointed and qualified in such other county. Upon the filing of such order in the court to which the estate is transferred, such court shall enter such estate upon its docket and upon the filing of satisfactory bond issue letters of guardianship and thereafter administer the estate as if letters originally issued from such court. Copies of the files in any such case certified by the clerk of the court in which the same were filed shall have the same force and effect as if originally filed in the court to which an estate is transferred as provided herein.

APPROVED June 25, 1917.

HOUSES OF CORRECTION.

COMMITMENT.

§ 1. Amends section 9, Act of 1871.

§ 9. Commitment of convicts —
modified or vacated.

(SENATE BILL NO. 386. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "*An Act to establish houses of correction and authorize the confinement of convicted persons therein*," approved April 25, 1871, in force July 1, 1871, as subsequently amended, by amending section 9 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to establish houses of correction and authorize the confinement of convicted persons therein*," approved April 25, 1871, in force July 1, 1871, as subsequently amended, be and is hereby amended, by amending section 9 thereof, to read as follows:

§ 9. In counties, towns and villages having such agreement with any such city, it shall be the duty of every court, police justice, justice of the peace, or other magistrate in such county, town or village, by whom any person, for any crime or misdemeanor punishable by imprisonment in the county jail, shall be convicted, to commit such person to the said house of correction in lieu of committing him to the county jail, village or town calaboose, there to be received and kept in the manner prescribed by law and the discipline in the said house of correction; and it shall be the duty of such court, police justice, justice of the peace or other magistrate, by warrant of commitment duly issued, to cause such persons so sentenced to be forthwith conveyed by some proper officer to said house of correction. Every sentence to such house of correction shall be commutable within the first thirty (30) days thereof and the order of commitment may be modified or vacated by the court or judge entering the same at any time with [within] thirty days after the entry thereof.

APPROVED June 22, 1917.

EMPLOYEES PENSION FUND.

§ 1. Amends section 1, of Act of 1911, provides for funds and regulates the time of payment of assessments.

(SENATE BILL NO. 472. FILED JUNE 26, 1917.)

AN ACT to amend section one of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a House of Correction Employees' Pension Fund in cities having a population exceeding 150,000 inhabitants," approved June 10, 1911, and in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act to provide for the setting apart, formation and disbursement of a House of Correction Employees' Pension Fund in cities having a population exceeding 150,000 inhabitants," approved June 10, 1911, and in force July 1, 1911, and as subsequently amended, be and the same hereby is amended so as to read as follows:

That the board of inspectors of the various houses of correction organized under an Act of the General Assembly of the State of Illinois, entitled, "An Act to establish houses of correction and authorize the confinement of convicted persons therein," approved April 25th, 1871, and maintained thereunder in cities having a population exceeding 150,000 inhabitants, shall have power, and it shall be its duty to create a House of Correction Employee's Pension Fund, which shall consist of two (2) per cent of the salary or wages of the employees, deducted in equal monthly installments from such salaries or wages at the regular time or times of the payment thereof, and three (3) per cent of the gross earnings of the house of correction and three (3) per cent of the fines and costs collected for violation of city ordinances where the persons convicted of such violations have been incarcerated in the house of correction for the non-payment of such fines and costs, both of which last payments shall be for a period of three years, beginning with the year 1917.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

FARM COLONIES.

§ 1. Amends title of Act of 1872.

§ 1. Cities may establish—farm colonies.

§ 2. Amends section 1 of said Act.

(HOUSE BILL NO. 899. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act to establish houses of correction, and authorize the confinement of convicted persons therein," approved April 25, 1871, in force July 1, 1871, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to establish houses of correction, and authorize the confinement of convicted persons therein," approved April 25, 1871, in force July 1, 1871, as amended, be and the same is hereby further amended by amending the title of said Act so that it shall read as follows:

"An Act to authorize cities to establish houses of correction and farm colonies within the corporate limits and outside of the corporate limits within the same county and authorize the confinement of convicted persons therein."

§ 2. That the said Act as amended be and the same is hereby further amended by amending section 1 of said Act, so that it shall read as follows:

§ 1. That it shall be lawful for the municipal authorities of any city within this State to establish a house of correction, which shall be used for the confinement and punishment of criminals, or persons sentenced or committed thereto under the provisions of this Act, or any law of this State, or ordinance of any city or village authorizing the confinement of convicted persons in any such house of correction.

It shall also be lawful for the municipal authorities of any city within this State to purchase or otherwise acquire, own or control so much land within the incorporated limits of such city or outside and within the same county as such city may require, for the purpose of establishing thereon such house of correction and other buildings or appurtenances thereto, and for the purpose of establishing in connection therewith a farm colony. Any farm colony so established in connection with a house of correction shall also be used for the confinement and punishment of criminals or persons sentenced or committed thereto under the provisions of this Act, or any law of this State, or ordinance of any city or village, authorizing the confinement of convicted persons in any such house of correction or farm colony.

And when such land is purchased or acquired and house of correction or farm colony established by any such city outside of the corporate limits thereof, such city and the municipal authorities thereof shall have full and complete police powers, for the purpose of control and management of same and of the persons confined therein, over such lands and territory surrounding the same and highways leading thereto from such city as is now conferred by law upon incorporated cities, towns and villages within this State over territory lying within the corporate limits thereof.

APPROVED June 26, 1917.

INJUNCTIONS.

ENJOINING DISBURSEMENT PUBLIC MONEYS.

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|---|--|
| § 1. Suit to enjoin disbursement of public funds to be maintained by Attorney General or by citizen and taxpayer. | § 4. Taxpayer to file petition for leave to file a bill in equity. |
| § 2. Same as section 1. | § 5. Summons to be issued upon filing information or bill in equity. |
| § 3. Attorney General to file information in equity. | § 6. Appeals. |
| | § 7. Act applicable to pending suits. |

(SENATE BILL NO. 607. APPROVED JUNE 21, 1917.)

AN ACT in relation to suits to restrain and enjoin the disbursement of public moneys by officers of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: A suit in equity to restrain and*

enjoin the disbursement of public funds by any officer or officers of the State government may be maintained either by the Attorney General or by any citizen and tax payer of the State.

§ 2. A suit in equity to restrain and enjoin the disbursement of public moneys by the proper officer or officers of the State may be maintained either by the Attorney General, or by any citizen and tax payer of the State disbursing such public moneys.

§ 3. Such suit may be maintained by the Attorney General, by filing in the office of the circuit clerk of the proper county an information in equity in the name of the People of the State of Illinois. When such information in equity shall be filed, either in term time or in vacation, it shall, if in term time, be presented to the court, and, if in vacation, to a judge of such court, and an order shall be entered thereon showing the day of presentation and the day, which shall not be less than five days and not more than ten days thereafter, when the court or the judge, as the case may be, will hear the same. Such court or judge, as the case may be, shall order the issuance of summons to each defendant named in such information.

§ 4. Such suit, when prosecuted by a citizen and tax payer of the State, shall be commenced by petition for leave to file a bill in equity to restrain and enjoin the defendant or defendants from disbursing the public funds of the State. Such petition shall have attached thereto a copy of the bill in equity, leave to file which is petitioned for. Upon the filing of such petition it shall be presented to the court, if in term time, or to a judge thereof, if in vacation, and the court or the judge, as the case may be, shall note thereon the day of presentation and shall make an order thereon fixing a day, which shall not be less than five nor more than ten days thereafter, when such petition for leave to file a bill in equity will be heard. Such court or judge shall also order the petitioner to give notice in writing to each defendant named therein and to the Attorney General, specifying in such notice the fact of the presentation of such petition and the day when the same will be heard. Such notice shall be served upon the defendants and upon the Attorney General, as the case may be, at least five days before [before] the hearing of such petition.

Upon such hearing, if the court or the judge thereof shall be satisfied that there is reasonable ground for the filing of such bill in equity, the court or judge may grant the petition and order the bill to be filed and process to issue. The court or judge may, in its or his discretion, grant leave to file the bill as to certain items, parts or portions of any appropriation act sought to be enjoined and mentioned in such bill, and may deny leave as to the residue.

§ 5. Upon the filing of such information or such bill in equity, summons shall be issued commanding the defendant or defendants to appear on the day named therein which shall not be less than five days nor more than ten days thereafter, as shall be directed by the court or judge. Such summons shall be served at least five days before the return day thereof in the same manner as other summons in suits in chancery.

Every defendant who shall be summoned shall be held to demur, plead or answer to the information or bill on the return day of the summons and such suit shall have preference in hearing over all other cases.

§ 6. From the final judgment or decree, either dismissing the information or bill in equity or ordering a restraining order or injunction to issue, either party may appeal therefrom to the Supreme Court in the same manner and upon the same terms and with like effect as in other chancery cases.

In case the court or judge denies a petitioner leave to file such bill, or any part thereof, then such petitioner may appeal to the Supreme Court from the order denying such leave, provided that such appeal is taken within ten days from the entry of such order and is perfected in the Supreme Court within twenty days from the entry of such order.

The petitioner taking such appeal shall give bond in an amount to be fixed by the court or judge, the security to be approved by the clerk of the court, payable to the People of the State of Illinois, to secure the costs in the Supreme Court and to indemnify the State, or any officer, employee, contractor or creditor of the State, who may be demnified in case such judgment or decree is vacated or set aside.

§ 7. No suit now pending shall be further maintained unless the provisions of this Act shall be complied with.

APPROVED June 21, 1917.

LIS PENDENS—PUBLIC OFFICERS.

1. In absence of order restraining the disbursement of funds, liability of public officers shall not be changed by the bringing of any suit.

(HOUSE BILL NO. 998. FILED JUNE 29, 1917.)

AN ACT to prevent the mere bringing or pendency of any suit from changing the liability of public officers in the disbursement of public funds on account of notice of any matter contained in the pleadings.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in the absence of an injunction or restraining order of a court, the bringing or pendency of any suit alone, heretofore, or hereafter brought, to defeat or enjoin the disbursement by public officers of public funds to the persons, uses, or purposes for which they are appropriated or set apart, including the payment of the salaries and wages of all officers and employees of the State, or of any county, city, village, town or other municipality of the State, shall in no way change the liability of any public officer in the disbursement of public funds, as aforesaid, on account of any notice of matters contained in the pleadings in any such suit but such liability shall remain the same, in-so-far as the bringing or pendency of any such suit alone is concerned, as if no such suit had been brought.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

INSURANCE.

AMENDS COUNTY FIRE INSURANCE ACT.

§ 1. Amends sections 10 and 12 of County Fire Insurance Act of 1877.

§ 12. As amended, increases authority to levy assessments.

§ 10. As amended, extends right to insure in adjoining counties.

(SENATE BILL NO. 355. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled: "*An Act to organize and regulate county fire insurance companies,*" approved June 2, 1877, in force July 1, 1877, as subsequently amended, by amending sections ten (10) and twelve (12) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to organize and regulate county fire insurance companies,*" approved June 2, 1877, in force July 1, 1877, as subsequently amended, be and is hereby amended by amending sections ten (10) and twelve (12) to read as follows:

§ 10. Any such company may insure property within the limits of the county comprised in the formation of the company, and may insure property in any adjoining county in which no company organized hereunder exists, but such company shall not insure any property within the limits of any city containing over twelve thousand inhabitants, at the time of the organization of such company: *Provided, however,* that any such company, may by the vote of a majority of its members, add to the territory covered by such company and in which it may do business, any number of political or congressional townships contiguous thereto, not exceeding ten, and such company may amend its charter as provided by law, showing such increase of territory: *Provided, further,* that any such company may underwrite or reinsure the whole or any part of any risk of another county fire insurance company organized under this Act, and may reinsure the whole or any part of its risks with another or other county fire insurance companies organized under this Act.

§ 12. Whenever the amount of any loss shall have been ascertained, which exceeds in amount the cash funds of the company, the president shall have the power to borrow money not to exceed one-tenth (1/10) of one per cent (1%) of all the property insured with which to pay said loss, and when the amount of said loss shall exceed one-tenth (1/10) of one per cent (1%) of all the property insured, the president shall convene the directors of said company who shall make an assessment upon all property to the amount for which the several pieces of property is insured, taken in connection with the rate of premium under which it may be classified, sufficient to pay all indebtedness of said company and may make an additional assessment for a sum not to exceed one-tenth of one per cent (1%) of all the insurance in force at the time of so making said assessment. *Provided,* that if no quorum be present the secretary shall enter the fact on his journal and the names of the directors present, whereupon the president, secretary and treasurer shall pro-

ceed to estimate the rate per cent necessary to cover the loss and expense thereby incurred and assess the same upon all insured property of the several members of said company, which assessment shall be valid and shall be collected in the same way as though it had been made by the board of directors: *Provided*, that at the time said assessment is made said assessment shall be made for an amount sufficient to pay all indebtedness of said company up to the time said assessment is made, and may include an amount in excess of such loss and indebtedness not to exceed one-tenth of one per cent (1%) of all the insurance in force at the time of so making said assessment.

APPROVED June 25, 1917.

COUNTY FIRE INSURANCE COMPANIES.

§ 1. Amends section 8, Act of 1877.

§ 8. Property insured—policies—
duration—amount—pay-
ment.

(HOUSE BILL No. 563. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to organize and regulate county fire insurance companies*," approved June 2, 1877, in force July 1, 1877, as subsequently amended, by amending Section 8 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to organize and regulate county fire insurance companies*," approved June 2, 1877, in force July 1, 1877, as subsequently amended, be and is hereby amended by amending Section 8 to read as follows:

§ 8. Such companies may issue policies only on detached dwellings, barns (except livery, boarding and hotel barns) and other farm buildings, schoolhouses and churches and such property as may be properly contained therein; also other property on the premises and owned by the insured; also live stock (hay and grain in the stack) on the premises of the insured, and anywhere in the territory of the company for any time not exceeding five years and not to extend beyond the limited duration of the charter, and for an amount not to exceed (\$7,500.00) on any one risk. Said policies may cover loss of, or damage, to, live stock, harness and vehicles temporarily taken from the territory of the company; *Provided*, said live stock, harness and vehicles be not removed to exceed twenty-five miles from the territory of the company. All persons so insured shall give their obligations to the company, binding themselves, there [their] heirs and assigns, to pay their *pro rata* share to the company of the necessary expenses and of all losses by fire or lightning which may be sustained by any member thereof during the time for which their respective policies are written and they shall also, at the time of effecting the insurance, pay such percentage in cash and such other charge as may be required by the rules and by-laws of the company.

APPROVED June 25, 1917.

COUNTY FIRE INSURANCE COMPANIES—ADJUSTMENT OF LOSSES.

§ 1. Amends section 11, Act of 1877.

§ 11. Adjustment of losses—committee of reference — award — appointment of committee — compensation—power to administer oaths.

(SENATE BILL NO. 47. APPROVED JUNE 21, 1917.)

AN ACT to amend section 11 of an Act entitled "An Act to organize and regulate county fire insurance companies." Approved June 2, 1877. In force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an Act entitled "An Act to organize and regulate county fire insurance companies," approved June 2, 1877, and in force July 1, 1877, be and the same is hereby amended so as to read as follows:

§ 11. Each member of such company who may sustain loss or damage by fire or lightning shall immediately notify the president of such company, or in his absence, the secretary thereof, stating the amount of damage or loss claimed, and if not more than five hundred dollars (\$500), then the president and secretary shall proceed to ascertain the amount of such damage or loss, and proceed to adjust the same. If the claim for damage or loss shall be an amount greater than five hundred dollars (\$500), then the president of such company, or in his absence, then the secretary thereof, shall forthwith appoint a committee of not less than three (3) disinterested members of the company to ascertain the amount of such damage or loss, and the committee thus appointed shall report the amount of such damage or loss to the directors of such company, who shall be convened by the president, or in his absence, by the secretary, and the directors shall approve or reject the report of such committee. If, in either case, there is a failure of the parties to agree upon the amount of such damage or loss, or the directors reject the report of the committee, the claimant shall appeal to the judge of the County Court of the county in which the office of the company is located, whose duty it shall be to appoint three (3) persons, not interested in said company, as a committee of reference, who shall have full authority to examine witnesses, and to determine all matters in dispute, and shall make an award in writing to the president of such company, and such award shall be final. The appointment of such committee of reference shall not be made except on at least five (5) days' notice having been given by the clerk of said court to the claimant and to the president and secretary of such company, who may attend and object to any or all of such committee, which objections said judge shall hear and determine as at suits in law. The pay of said committee shall be two dollars (\$2) per day for each day's service so rendered, and four (4) cents for each mile necessarily traversed in the discharge of their duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expense shall be paid by the company. All adjusting

committees shall have the power to administer oaths, examine witnesses and take acknowledgments.

APPROVED June 21, 1917.

COUNTY MUTUAL TORNADO COMPANIES.

§ 1. Amends sections 7, 8, 9 and 11, Act of 1889.

§ 7. Membership non-resident not eligible to office of director.

§ 8. Class of property which may be insured; limitation of risk—reinsure—payment losses.

§ 9. Risks in adjoining county in which no company is organized under this Act—risk in cities over 12,000 population prohibited.

§ 11. Assessments to pay losses.

(SENATE BILL NO. 356. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "*An Act to authorize the organization and to regulate county mutual windstorm insurance companies,*" approved June 4, 1889, in force July 1, 1889, by amending sections 7, 8, 9, and 11 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to authorize the organization and to regulate county mutual windstorm insurance companies,*" approved June 4, 1889, in force July 1, 1889, be and is hereby amended by amending sections 7, 8, 9 and 11 thereof to read as follows:

§ 7. Any person owning property in the county for which any such company is formed, and any person owning property in an adjoining county in which no company organized under this Act exists, may become a member of such company by insuring therein and shall be entitled to all the rights and privileges appertaining thereto, but no person not residing in the county in which the company is formed shall become a director of such company.

§ 8. Such company may issue policies only on dwellings, barns and other farm buildings, churches and schoolhouses and such property as may properly be contained therein, for any time not exceeding five (5) years and not to extend beyond the limited duration of the charter and for an amount not exceeding \$4,500.00 on any one risk. Any such company may reinsure the whole or any part of its risks in any other company organized under this Act or may underwrite the whole or any part of the risks of another company so organized. All persons so insured shall give their obligations to the company, binding themselves, their heirs and assigns to pay their pro rata share to the company of the necessary expenses and of all losses by windstorms which may be sustained by any member thereof during the time for which their respective policies are written, and they shall also, at the time of effecting the insurance, pay such percentage in cash and such other charges as may be required by the rules or by-laws of the company.

§ 9. Any such company may insure any property within the limits of the county comprised in the formation of the company and any property in an adjoining county in which no company organized under this

Act exists but shall not insure any property within the limits of any city containing over twelve thousand (12,000) inhabitants at the time of the organization of the company.

§ 11. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash funds of the company, the president shall convene the directors of the company, who shall make an assessment for an amount sufficient to pay all losses and indebtedness of the said company up to the time said assessment is made, and an additional amount in excess thereof, not to exceed one-tenth of one per cent of all the insurance in force at the time of so making said assessment, upon all the property, distributing the same pro rata against such several pieces of property insured by the company.

APPROVED June 22, 1917.

DISCRIMINATION BETWEEN LIFE INSURANCE COMPANIES FORBIDDEN.

§ 1. Amends sections 2 and 3, Act of 1891.

§ 2. Penalty for unjust discrimination.

§ 3. Penalty for violating Act.

(HOUSE BILL No. 701. APPROVED JUNE 26, 1917.)

AN ACT to amend sections 2 and 3 of an Act entitled, "An Act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insurants of the same class and equal expectation of life, in the rates, amount or payment of premiums, in the return of premiums, dividends, rebates or other benefits," approved June 19, 1891, in force July 1, 1891.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 2 and 3 of an Act entitled, "An Act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insurants of the same class and equal expectation of life, in the rates, amount or payment of premiums, in the return of premiums, dividends, rebates or other benefits," approved June 19, 1891, in force July 1, 1891, be and the same are hereby amended to read as follows:

§ 2. If any manager or managers, general agent or general agents, agent or agents of any life insurance company, or association, shall make any unjust discriminations as enumerated in section 1 of this Act, or if any such company or association shall, acting through any general officer, consent thereto, the same shall be deemed guilty of having violated the provisions of this Act and, upon conviction thereof, shall be dealt with as hereinafter provided.

§ 3. Any such life insurance company or association, which shall transact its business in this State in violation of the provisions of this Act, as aforesaid, shall be subject to a penalty of not less than five hundred dollars or more than one thousand dollars, and any manager or managers, general agent or general agents, agent or agents, who shall violate any of the provisions of this Act shall be subject to a penalty of not to exceed one hundred dollars, all such penalties to be sued for and recovered in the name of the People of the State of Illinois, by the State's attorney of the county in which the manager or managers,

general agent or general agents, agent or agents, committing the offense, or through whom it is committed, may reside, or of the county in which the offense is committed: and any said penalty, when recovered, shall be paid into the treasury of said county. And it is hereby made the duty of the Department of Trade and Commerce, upon conviction had as aforesaid or penalty recovered against any manager, general agent or agent, for any violation of this Act, at once to revoke, cancel and annul the certificate of authority issued to such manager, general agent or agent by the Department of Trade and Commerce; and upon conviction had as aforesaid or penalty recovered against any such company, for any violation of this Act, at once to revoke, cancel and annul the certificate of authority issued by the Department of Trade and Commerce to the manager, general agent or agent of said company through whom such offense is committed.

APPROVED June 26, 1917.

FRATERNAL BENEFICIARY SOCIETIES.

§ 1. Amends section 1, Act of 1893.

§ 1. Fraternal beneficiary societies defined—benefit funds.

(HOUSE BILL No. 795. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof, and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws existing which conflict therewith,*" approved and in force June 22, 1893, as subsequently amended, by amending the first section of such Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented, in the General Assembly: That an Act entitled, "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof, and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict therewith," approved and in force June 22, 1893, as subsequently amended, be and the same is hereby amended, by amending the first section of such Act to read as follows:*

§ 1. A fraternal beneficiary society is hereby declared to be a corporation, society or association formed, organized or carried on for the sole benefit of its members and their beneficiaries, and not for profit.

Each society shall have a lodge system, with ritualistic form of work and representative form of government, and may make provisions for the payment of benefits in case of disability and death, or of either, resulting from either disease, accident or old age of its members. In all

meetings of any such society, organized under this law or heretofore organized, no member shall be allowed to cast more than one vote in any election of its officers, or on any question submitted therein, and the members, officers, representatives or delegates of a fraternal beneficiary society shall not vote by proxy. Any such society, order or association may create, maintain and disburse a reserve fund in accordance with its constitution and by-laws. Such reserve fund, if any, shall represent certain prescribed accumulations or percentage, retained for the benefit of its members or their beneficiaries, and no part thereof shall be used for expenses, nor for any purpose except the payment of death and disability claims. The payment of such benefits in all cases being subject to compliance by the member with the contract rules and laws of the society: *Provided*, the period in life at which payment of physical disability benefits on account of age may commence shall not be under seventy (70) years. The fund from which the payments of such benefits shall be made, and the fund from which the expenses of such society shall be defrayed, shall be derived from assessments or dues collected from its members. Payments of death benefits shall only be paid to the families, heirs, blood relations, affianced husband or affianced wife of or to persons dependent upon the members: *Provided*, that a member who is totally and permanently disabled, either from accident, disease or old age, or is without means of support, may, with the consent of the society, if the by-laws so provide, make a charitable institution, trust company the lodge or subordinate body of the society of which he is a member, or any person or persons entering into an agreement in writing in manner and form satisfactory to said society, to support such member, the beneficiary in his certificate: *Provided*, that a member having no husband, wife or children living may, with the consent of the society, make a charitable institution his beneficiary: *Provided, however*, that societies formed to include only the membership of any religious denomination may be permitted to provide that benefits under their certificates of membership may be paid to religious or charitable institutions. The members of any religious denomination may incorporate under this Act, and shall only be required to have a lodge or branch system and a representative form of government.

Membership in such corporation shall be confined to the members of such religious organization. Commercial travelers shall also be allowed to incorporate under the provisions of this Act, but membership of such incorporation shall be confined to those actively engaged as commercial travelers, and officers, buyers or sellers for corporations, associations and co-partnerships, or individuals who employ commercial traveling men. Such commercial travelers' incorporation shall have a lodge or branch system and representative form of government. All such societies shall be governed by this Act, and shall be exempt from the provisions of all insurance laws in this State, and no law hereafter passed shall apply to them unless they be expressly designated therein: *Provided*, that this Act shall not be construed to prevent any society having a supreme lodge with separate jurisdiction, which by their law provide for a general relief or reserve fund, for making assessments to

pay its *pro rata* share of such relief or reserve fund, or from receiving their *pro rata* of any such fund.

APPROVED June 26, 1917.

FRATERNAL BENEFICIARY SOCIETIES.

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| § 1. Act of June 22, 1893, regulating fraternal beneficiary societies amended. | § 2d. Separate reports to Insurance Superintendent required—separation of funds not to terminate. |
| § 2a. Fraternal benefit societies authorized to insure lives of children—scale of benefits. | § 2e. Apportionment of administrative expense. |
| § 2b. Medical examinations—minimum number—contributions based upon standard tables—extra contributions. | § 2f. Benefit certificate continued in force after withdrawal from membership of person responsible for support of child. |
| § 2c. Standard reserves—funds to be kept separate—surrender of certificate for membership in society—no vested rights. | |

(HOUSE BILL No. 382. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith,*" approved and in force June 22, 1893, as subsequently amended, by adding thereto six (6) new sections to be known as sections two-a (2a), two-b (2b), two-c (2c), two-d (2d), two-e (2e), and two-f (2f).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith,*" approved and in force June 22, 1893, as subsequently amended, be and is hereby amended by adding six (6) new sections thereto to be known as sections two-a (2a), two-b (2b), two-c (2c), two-d (2d), two-e (2e), and two-f (2f), to read as inserted at length herein.

§ 2a. Any fraternal benefit society authorized to do business in this State and operating on the lodge plan, may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of 2 and 18 years at next birthday, for whose support and maintenance a member of such society is responsible. Any such society may at its option organize and operate branches for such children and membership in local lodges and initiation therein shall not be required of

such children, nor shall they have any voice in the management of the society. The total benefits payable as above provided, shall in no case exceed the following amounts, at ages at next birthday at time of death, respectively as follows: Two, \$34.00; three, \$40.00; four, \$48.00; five, \$58.00; six, \$140.00; seven, \$168.00; eight, \$200.00; nine, \$240.00; ten, \$300.00; eleven, \$380.00; twelve, \$460.00; thirteen to fifteen, \$520.00; sixteen to eighteen years, where not otherwise authorized by law, \$600.00.

§ 2b. No benefit certificate as to any child shall take effect until after medical examination or inspection, in accordance with the laws of the society, nor shall any such benefit certificate be issued unless the society shall simultaneously put in force at least five hundred (500) such certificates, on each of which at least one (1) assessment has been paid, nor where the number of lives represented by such certificates falls below five hundred (500). The death benefit contributions to be made upon such certificate shall be based upon "Standard Industrial Mortality Table," or the "English Life Table Number 6," and a rate of interest not greater than four (4) per cent per annum, or upon a higher standard: *Provided*, that contributions may be waived or returns may be made from any surplus held in excess of reserve and other liabilities, as provided in the by-laws: *And, provided, further*, that extra contributions shall be made if the reserves hereafter provided for become impaired.

§ 2c. Any society entering into such insurance agreement shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section 2b, and the funds represented in the benefit contributions, and all accretions thereon, shall be kept as separate and distinct funds, independent of the other funds of the society, and shall not be liable for, nor used for the payment of the debts, and obligations of the society other than the benefits herein authorized: *Provided*, that a society may provide that when a child reaches the minimum age for initiation into membership in such society, any benefit certificate issued hereunder may be surrendered for cancellation and exchanged for any other form of certificate issued by the society: *Provided*, that such surrender will not reduce the number of lives insured in the branch below five hundred (500) and upon the issuance of such new certificate any reserve upon the original certificate herein provided for, shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child nor the beneficiary named in such original certificate, nor the person who paid the contribution, shall have any vested right in such new certificate, the free nomination of the beneficiary under the new certificate being left to the child so admitted to benefit membership.

§ 2d. An entirely separate financial statement of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the Insurance Superintendent by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified,

nor shall the funds be diverted for any use other than as specified in section three (3), as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

§ 2e. Any society shall have the right to provide in its laws and the certificate issued hereunder for specified payments on account of the expense or general fund, which payment shall, or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

§ 2f. In the event of the termination of membership in the society by the person responsible for the support of any child, on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child: *Provided*, the contributions are continued, or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

APPROVED June 25, 1917.

LIFE COMPANIES—WHAT NOT TO INSURE.

§ 1. Amends section 18, Act of 1869.

§ 18. What life companies not to insure—exceptions—what deemed life policies.

(HOUSE BILL NO. 508. APPROVED JUNE 11, 1917.)

AN ACT to amend section eighteen (18) of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eighteen (18) of an Act entitled, "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, be and the same is hereby amended so as to read as follows:

§ 18. No life insurance company organized under the laws of this State shall issue policies insuring fire or marine or live stock risks nor do any banking business nor, except as otherwise provided by law, transact the business of accident or health insurance, and no insurance company organized under the laws of any other state or country shall, in addition to the business of life insurance, transact the business of accident and health insurance, or either of them, in this State, unless so authorized by its charter or by the laws under which it is organized and upon compliance with the laws of this State relating to such insurance, but policies of life or endowment insurance which contain provisions operating, in the event that the insured shall become totally and permanently disabled from any cause, to safeguard the insurance against lapse or to grant a special surrender value or an annuity payable for a limited period or during the life of the insured, or which contain provisions granting insurance against death by accident, shall nevertheless be deemed to be policies of life or endowment insurance within the intent of this Act.

APPROVED June 11, 1917.

LIFE INSURANCE—POLICY PROVISIONS.

§ 1. Amends section 1, Act of 1907.

§ 1. Payment of premiums.

(HOUSE BILL NO. 700. APPROVED JUNE 22, 1917.)

AN ACT to amend section 1 of an Act entitled, "An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions of policies of life insurance companies, organized under the laws of this State, or doing business herein," approved May 20, 1907, in force January 1, 1908.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act relating to the transaction of the business of life insurance in the State of Illinois, and regulating the conditions and provisions of policies of life insurance companies, organized under the laws of this State, or doing business herein," approved May 20, 1907, in force January 1, 1908, be and the same is hereby amended so that said section 1, as amended, shall read as follows:

§ 1. That from and after January 1, 1908, no policy of life insurance shall be issued or delivered in this State or be issued by a life insurance company organized under the laws of this State, unless the same shall provide the following:

(1) That all premiums after the first shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be designated in the policy.

(2) For a grace of one month for the payment of every premium after the first year which may be subject to an interest charge, during which month the insurance shall continue in force: *Provided*, that if the insured shall die within the month of grace the unpaid premium for the current policy year may be deducted in any settlement under the policy.

(3) That the policy, together with the application therefor, a copy of which application shall be endorsed upon or attached to the policy and made a part thereof, shall constitute the entire contract between the parties and shall be incontestable after two years from its date, except for non-payment of premiums and except for violations of the conditions of the policy relating to the naval or military service in time of war: *Provided*, that the application therefor need not be attached to any policy containing a clause making the policy incontestable from date of issue.

(4) That if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age, or the premium may be adjusted and credit given to the insured or to the company, according to the company's published rate at date of issue.

(5a) That the policy shall participate in the surplus of the company, and any policy containing provision for participation at the end of the first policy year, and annually thereafter, may also provide that each dividend shall be paid subject to the payment of the premium for the next ensuing year; and the insured under any annual dividend policy

shall have the right each year to have the dividend arising from such participation paid in cash, and if the policy shall provide other dividends options, it shall further provide that if the insured shall not elect any such other options, the dividend shall be paid in cash. Such participation may, however, begin not later than the end of the twentieth policy year.

(5b) If any company shall issue any policies under the terms of which the payment of dividends is deferred later than the third policy year, such company shall furnish the Department of Trade and Commerce each year a statement showing the number and amount of all policies with deferred dividends in force at the beginning of the year for which the statement is made; of all such policies issued and revived or terminated during the said year with the mode of termination; and the number and amount of all such policies in force at the end of said year. Also a statement showing any and all amounts provisionally set apart, ascertained or calculated or held awaiting apportionment upon such policies at the beginning of said year, the additions made to the said fund during the year, with the source from which such additions arose, the deductions made from the said funds during the year, with the reasons therefor and the amount of said fund at the end of the year; which shall be carried as a distinct and separate liability to such class of policies on and for which the sum was accumulated. Upon the written request of the insured under any deferred dividend policy, after said policy shall have been in force more than three years, the company shall furnish said policy holder with a statement of the amount of surplus provisionally ascertained or set aside on such policy and held awaiting apportionment at the expiration of the deferred dividend period.

(5c) The provisions of the preceding paragraphs numbered (5a) and (5b) of this section shall not apply to any form of paid-up insurance or temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies, or to non-participating policies; *provided, however*, that if any company shall issue any non-participating policy under the terms of which any stipulated part of premiums received is to be placed in a separate fund for subsequent apportionment, such company shall furnish the Department of Trade and Commerce each year a statement showing the number and amount of all such policies in force at the beginning of the year for which the statement is made; of all such policies issued and revived or terminated during the said year with the mode of termination; and the number and amount of all such policies in force at the end of said year. Also a statement showing any and all amounts provisionally set apart, ascertained or calculated or held awaiting apportionment upon such policies, according to classes, at the beginning of said year, the additions made to the said fund during the year with the source from which such additions arose, the deductions made from the said fund (if permitted by the contract) during the year with the reasons therefor and the amount of said fund at the end of the year; which shall be carried as a distinct and separate reserve liability of the company for the benefit of the classes of policies from the premium payments on which the sum

was accumulated. No part of said fund prior to the time of distribution stipulated in the contract, shall be considered in determining the loan and cash and other surrender values provided for by this Act. Upon written request of the insured under any such policy, after said policy shall have been in force more than three years, the company shall furnish said policyholder with a statement of the amount of the contingent interest of said policyholder in the fund so accumulated and held awaiting apportionment at the expiration of the accumulation period. No such policy shall be issued which by its terms shall provide that more than twenty-five per cent of the annual premium shall be placed in such fund, nor shall any such provision be made a part of a term insurance policy.

(6) That after three full years' premiums have been paid, the company, at any time, while the policy is in force, will loan, on the execution of a proper note or loan agreement by the insured, and on proper assignment and delivery of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the insured less than, the reserve at the end of the current policy year on the policy and on the dividend additions thereto, if any, (the policy to specify the mortality table and the rate of interest adopted for computing such reserve), less a specified percentage (not more than two and one-half) of the amount insured by the policy and of the dividend additions thereto, if any, and that the company will deduct from such loan value any existing indebtedness on or secured by the policy and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year: *Provided*, that such loan may be deferred for not exceeding six months after the application therefor is made. No condition other than is herein provided shall be exacted as a prerequisite to any such loan. This provision shall not be required in term insurance, nor shall it apply to temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies.

(7) That in event of default in premium payments, after premiums shall have been paid for three years, the insured shall be entitled to a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on dividend additions thereto, if any, (the policy to specify the mortality table and rate of interest adopted for computing such reserve), less a specified percentage (not more than two and a half) of the amount insured by the policy and of existing dividend additions thereto, if any, and less any existing indebtedness to the company on or secured by the policy: *Provided*, that the policy may be surrendered to the company at its home office within one month of date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid: *And, provided, further*, that the company may defer payment for not more than six months after the application therefor is made. This provision shall not be required in term insurance of twenty years or less.

(8) A table showing in figures the loan values, and the options available under the policies each year upon default in premium payments, during at least the first twenty years of the policy, beginning with the year in which such values and options become available. The specified percentage referred to in (6) and (7) need not be stated for the policy years included in said table.

(9) That if in event of default in premium payments, the value of the policy shall be applied to the purchase of other insurance, and if such insurance shall be in force and the original policy shall not have been surrendered to the company and canceled, the policy may be reinstated within three years from such default, upon evidence of insurability satisfactory to the company and payment of arrears of premiums with interest.

(10) That when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of proof of death and of the interest of the claimant and not later than two months after the receipt of such proof.

(11) A table showing the amount of installments in which the policy may provide its proceeds may be payable.

(12) Title on the face and on the back of the policy, correctly describing the same.

APPROVED June 26, 1917.

ORGANIZATION AND REGULATION OF DISTRICT MUTUAL WINDSTORM,
CYCLONE OR TORNADO INSURANCE COMPANIES.

§ 1. Amends sections 7, 8, 9 and 11 Act
of 1893.

§ 8. Amount of insurance —
right to reinsure.

§ 7. How owners of property
adjoining such district
may become members.

§ 9. Where insurance may be
written.

§ 11. Assessment to meet losses.

(SENATE BILL No. 354. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled, "An Act authorizing the organization, and to regulate district mutual windstorm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, as subsequently amended, by amending sections seven (7), eight (8), nine (9), and eleven (11) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an Act entitled, "An Act authorizing the organization, and to regulate district mutual windstorm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, as subsequently amended, be and the same is hereby amended, by amending sections seven (7), eight (8), nine (9) and eleven (11), thereof to read as follows:

§ 7. Any person owning property in a district in which any such company is formed, and any person owning property in any county adjoining such district in which no county or district windstorm insurance company exists may become a member of such company by insuring therein and shall be entitled to all the rights and privileges pertaining thereon.

§ 8. Such company may issue policies on dwellings, barns or other farm buildings, churches or schoolhouses, town halls and such property as may be properly contained therein; also on horses and cattle on the premises of the assured, and anywhere in the territory of the company, for any time not exceeding five (5) years and not to exceed beyond the limit duration of the charter [charter], and for an amount not exceeding four thousand five hundred dollars (\$4,500) on any one building and contents. Any such company may reinsure the whole or any part of its risks with any other company organized under the provisions of this Act and may underwrite or reinsure the whole or any part of the risks of any other company organized hereunder. All persons so insured shall give their obligations to the company, binding themselves, their heirs and assigns to pay their *pro rata* share to the company of the necessary expenses and of losses by windstorm, cyclones or tornadoes, which may be sustained by any member thereof during the time for which their respective policies are written, and they shall also, at the time of effecting the insurance, pay such percentage in cash and such other charges as may be required by the rules and by-laws of the company.

§ 9. Any such company may insure any property within the limits of the district comprised in the formation of the company, and any property in any county adjoining such territory in which no country [county] or district mutual windstorm, cyclone or tornado insurance company exists, but shall not insure any property within the limits of any city, town or village.

§ 11. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash fund of the company, the president shall have the power to borrow money not to exceed one-tenth of one per cent of all property insured with which to pay said loss, and when the amount of said loss shall exceed one-tenth of one per cent of all property insured, to convene the directors of the company who shall make an assessment in such amount upon all property, distributing the same *pro rata* against such several pieces of property, sufficient to cover all the losses, debts and obligations of the company up to the time of making such assessment, and in addition thereto, a sum equal to one-tenth of one per cent on all the property insured: *Provided*, that if no quorum be present the secretary shall enter the fact upon his journal, and the names of the directors present, whereupon the president, secretary and treasurer shall proceed to estimate the rate per cent necessary to cover the loss and expense thereby incurred, and assess the same upon all the insured property of the several members of said company, which assessment shall be valid and shall be collected in the same manner as though it had been made by the board of directors; *Provided*, that at the time said assessment is made, said assessment shall be made for an amount sufficient to pay all indebtedness of said company up to the date of said assessment, and may include in addition thereto a sum equal to one-tenth of one per cent on the value of all the property insured.

APPROVED June 22, 1917.

TOWNSHIP FIRE INSURANCE COMPANIES—ACT OF 1874 AMENDED.

§ 1. Amends sections 8 and 12, Act of 1874.

§ 8. As amended, adds provision permitting companies to underwrite or reinsure risks of other township companies.

§ 12. As amended, provides assessments may be levied upon all property insured sufficient to pay all indebtedness and in addition one-tenth of 1 per cent on all property insured.

(SENATE BILL No. 357. APPROVED JUNE 21, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to township insurance companies,*" approved March 24, 1874, in force July 1, 1874, as subsequently amended, by amending sections eight (8) and twelve (12) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to township insurance companies,*" approved March 24, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by amending sections eight (8) and twelve (12) thereof, so that the said sections when amended shall read as follows:

§ 8. Such companies may issue policies only on detached dwellings, barns (except livery, boarding and hotel barns) and other farm buildings, schoolhouses and churches, and such property as may be properly contained therein; also other property on the premises and owned by the insured; also live stock (hay and grain in the stack) on the premises of the insured and anywhere in the territory of the company, for any time not exceeding five years and not to extend beyond the limited duration of the charter and for an amount not to exceed six thousand dollars on any one risk. Said policies may cover loss of or damage to live stock, harness, and vehicles temporarily taken from the territory of the company; *Provided* said live stock, harness and vehicles be not removed to exceed twenty-five miles from the territory of the company. Such companies may underwrite or reinsure the whole or any part of the risks of other township fire insurance companies, and may reinsure the whole or any part of their risks in other township fire insurance companies organized under this Act.

All persons so insured shall give their obligations to the company, binding themselves, their heirs, and assigns to pay their pro rata share to the company of the necessary expenses, and of all losses by fire or lightning which may be sustained by any member thereof during the time for which their respective policies are written, and they shall also at the time of the effecting of the insurance, pay such percentage in cash and such other charge as may be required by the rules and by-laws of the company.

§ 12. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash funds of the company, the president shall have power to borrow money not to exceed one-tenth of one per cent of all the property insured, with which to pay said loss, and when the amount of said loss shall exceed one-tenth of one per cent of all property insured, the president shall convene the directors of said company, who shall make the assessment upon all the property to the amount

for which each several piece of property is insured taken in connection with the rate of premium under which it may be classified, sufficient to pay all the indebtedness of the said company up to the time of said assessment, and may include in such assessment a sum in excess of said indebtedness not to exceed one-tenth of one per cent of all the insurance in force at the time of so making said assessment: *Provided*, that if there be no quorum present, the secretary shall enter the fact upon his journal and the names of the directors present, whereupon, the president, secretary and treasurer shall proceed to estimate the rate per cent necessary to cover the loss and expenses thereby incurred, and assess the same upon all the insured members of said company, which assessment shall be valid and shall be collected in the same way as though it had been made by the board of directors, and at the time when any assessment is made, the assessment shall be made large enough to pay all losses and all money borrowed and may include in addition, a sum not to exceed one-tenth of one per cent of all the property insured.

APPROVED June 21, 1917.

INTEREST.

REGULATING BUSINESS OF MAKING LOANS.

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| <p>§ 1. Unlawful to make loans to the value of \$300 or less at a greater rate of interest than 7 per cent without license—what license to contain—fee—bond—revocation—no licensee to transact business under any other name—additional fee and bond—removal—violations—books and records.</p> | <p>§ 3. Licensee to deliver to borrower statement in English language of terms of contract—receipt for payment—cancellation of loan—power of attorney.</p> |
| <p>§ 3. Limitation of loan—interest—attorney fee—limitation—recording fee—when loan void.</p> | <p>§ 4. Assignment of salary or wages in writing—percentage of wages collectable.</p> |
| | <p>§ 5. Penalty.</p> |
| | <p>§ 5a. To whom Act not to apply.</p> |
| | <p>§ 6. Repeal.</p> |

(HOUSE BILL No. 431. APPROVED JUNE 14, 1917.)

AN ACT to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than seven (7) per centum per annum, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be unlawful to make any loan of money, credit, goods, or things in action in the amount or to the value of three hundred dollars (\$300) or less, whether secured or unsecured and charge, contract for, or receive a greater rate of interest than (7) per centum per annum therefor, without first obtaining a license from the Department of Trade and Commerce as herein provided. Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business of the applicant; also the county and municipality with street and number, if any, where the business is to be conducted. Every such ap-

plicant, at the time of making such application, shall pay to the Department of Trade and Commerce the sum of fifty dollars (\$50) as an annual license fee and in full payment of all expenses of examination under and administration of this Act. The applicant shall, also, at the same time, file with the Department of Trade and Commerce a bond in which the applicant shall be the obligor, in the sum of one thousand dollars (\$1,000), with one or more sureties to be approved by the Department of Trade and Commerce, which bond shall run to the People of the State of Illinois for the use of the State and of any person or persons, who may have a cause of action against the obligor of said bond, under the provisions of this Act, and shall be conditioned that said obligor will conform to and abide by each and every provision of this Act, and will pay to the State and to any such person or persons, any and all moneys that may become due or owing to the State and to such person, or persons, from said obligor, under and by virtue of the provisions of this Act.

Upon the filing of such application and the approval of said bond and the payment of said fee the Department of Trade and Commerce shall issue a license to the applicant to make loans in accordance with the provisions of this Act for a period which shall expire the first day of January next following the date of its issuance; *provided*, that if the license is issued for a period of less than six months the license fee shall be twenty-five dollars (\$25.00). Said license shall not be assignable.

If in the opinion of the Department of Trade and Commerce the bond shall at any time appear to be insecure or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars (\$1,000) satisfactory to the Department of Trade and Commerce shall be filed, and upon failure of the obligor to file such additional bond the license shall be revoked by the Department of Trade and Commerce.

The Department of Trade and Commerce may, upon notice to the licensee and opportunity to be heard, revoke such license if the licensee has violated any provision of this Act; and in case the licensee shall be convicted by a court a second time of a violation of section two (2) of this Act, the Department of Trade and Commerce shall revoke such license and another license shall not be issued to such licensee if the second offense shall have occurred after a prior conviction.

The license shall be kept conspicuously posted in the place of business of the licensee.

No licensee shall make any loan or transact any business provided for by this Act, under any other name, or at any other place of business than that named in the license. Not more than one office or place of business shall be maintained under the same license, but the Department of Trade and Commerce may issue more than one license to the same licensee upon the payment of an additional licensee fee and the filing of an additional bond for each license.

In case of the removal of a licensee, he shall at once give written notice thereof to the Department of Trade and Commerce, who shall attach to the license his consent in writing to the removal.

The Department of Trade and Commerce, for the purpose of discovering violations of this Act, may at any time and as often as it may desire, investigate the loans and business of every licensee; and for that purpose it shall have free access to the books, papers, records and vaults of such licensee, it shall also have authority to examine, under oath, all persons whomsoever whose testimony it may require relative to such loans or business.

The licensee shall keep such books and records as in the opinion of the Department of Trade and Commerce will enable it to determine whether the provisions of this Act are being observed. Every such licensee shall preserve the records of final entry used in such business, including cards used in the card system, if any, for a period of at least one year after the making of any loan recorded therein.

§ 2. Every licensee licensed hereinunder may loan any sum of money, goods, or things in action, not exceeding in amount or value the sum of three hundred dollars (\$300), and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half ($3\frac{1}{2}$) per centum per month.

Interest shall not be payable in advance or compounded and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charge, or amount whatsoever for any examination, service, brokerage, commission, attorney fee (except for foreclosure or entry of judgment, and in no case shall a greater amount be allowed as attorney fee than as is evidenced by 10 per cent of the amount found to be due or other thing, shall be directly or indirectly charged, contracted for or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter.

If interest or charges in excess of those permitted by this Act shall be charged, contracted for or received by any licensee, the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever.

No person shall owe any licensee at any time more than three hundred dollars (\$300) for principal.

§ 3. Every licensee shall:

Deliver to the borrower, at the time a loan is made, a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower, and of the licensee and the rate of interest charged. Upon such statement there shall be printed in English a copy of section 2 of this Act;

Give to the borrower a plain and complete receipt for each payment made on account of any such loan at the time such payment is made;

Upon repayment of the loan in full, mark indelibly every paper signed by the borrower with the word "Paid" or "Cancelled" and release any mortgage, restore any pledge, cancel and return any note, and cancel and return any assignment given by the borrower as security.

No licensee shall take any power of attorney, except to acknowledge the execution of an instrument, or to confess judgment, *provided* that no attorney's fee for such confession shall be allowed; nor shall he take any note, promise to pay, or security that does not state the actual amount of the loan, the time for which it is made and the rate of interest charged, nor any instrument in which blanks are left to be filled after execution.

§ 4. No assignment of any salary or any wages, earned or to be earned, given to secure any loan made under this Act, shall be valid, unless in writing signed by the borrower; nor shall such assignment be valid unless given to secure an existing debt or one contracted simultaneously with its execution.

Under such assignment or order for the payment of future salary or wages given as security for a loan made under this Act, a sum of fifty (50) per centum of the borrower's salary or wages shall be collectible [collectable] by the licensee from the time that a copy thereof, verified by the oath of the licensee, or his agent, together with a verified statement of the amount unpaid upon such loan, has been served upon the employer.

§ 5. Any person who shall, directly or indirectly, violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500), or by imprisonment of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

§ 5-a. This Act shall not apply to any person, co-partnership or corporation doing business under any law of this State, or of the United States relating to banks, trust companies, building and loan associations, or pawn brokers; or to wage loan corporations organized under "An Act to provide for the incorporation, management and regulation of wage loan corporations and to allow the loaning of money by such corporations, secured by the assignment of wages and limiting the rate of compensation to be paid," approved June 20, 1913, in force July 1, 1913.

§ 6. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

APPROVED June 14, 1917.

JAILS AND JAILERS.

§ 1. Amends section 16, Act of 1874.

§ 16. Dieting of prisoners.

(HOUSE BILL NO. 278. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to jails and jailers*," approved March 3, 1874, in force July 1, 1874, as subsequently amended, by amending section 16 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*And Act to revise the law in relation to jails and jailers*," approved March 3, 1874, in force July 1, 1874, be and the same is hereby amended by amending section 16 thereof to read as follows:

§ 16. The keeper of the jail shall furnish each prisoner daily with as much clean water as may be necessary for drink and personal cleanliness, and serve him three times a day with wholesome food, well cooked and in sufficient quantity. On and after the first Monday in December, 1918, the keeper of the jail in counties of the first and second class shall procure at the expense of the county, all necessary foods and provisions for the support of the prisoners confined in the jail, and when authorized by the county board so to do may employ at the expense of the county a suitable person or persons to prepare the food for the prisoners and to serve the same.

The said jailer shall from time to time consult with the county board as to the quantity, kinds and quality of foods and provisions necessary and proper to be procured. All bills for such food and provisions, and for the preparation and service of the same, shall be audited and allowed by the county board and paid from the county treasury. The keeper of the jail shall file with the clerk of the county board on or before the fifth day of each month an itemized report of the foods and provisions procured during the month for which the report is made, and of all expenses for employees authorized to be employed, which report shall have attached thereto a list of all bills, vouchers, or other evidences of purchases or employment, together with a statement that the food and provisions reported as purchased, were purchased and used solely for the prisoners and that all accounts for employment are for employees authorized by the county board. Said report shall be signed and sworn to by the keeper of the jail.

APPROVED June 25, 1917.

JOINT TENANTS.

RIGHTS AND OBLIGATIONS.

§ 1. Joint tenants—rights—obligations.

(HOUSE BILL NO. 702. APPROVED JUNE 26, 1917.)

AN ACT to amend section 1 of an Act entitled, "An Act to revise the law in relation to joint rights and obligations," approved February 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an Act entitled, "An Act to revise the law in relation to joint rights and obligations," approved February 25, 1874, in force July 1, 1874, be and the same is hereby amended to read as follows:

§ 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That if partition be not made between joint tenants, the parts of those who die first shall not accrue to the survivors, but descend or pass by device, and shall be subject to debts, dower, charges, etc., or transmissible to executors or administrators, and be considered, to every intent and purpose, in the same view as if such deceased joint tenants had been tenants in common, *provided* that when a deposit in any bank or trust company transacting business in this State

has been made or shall hereafter be made in the names of two or more persons, payable to them, jointly or severally evidenced by a writing signed by them when the account is opened, such deposit or any part thereof or any interest or dividend thereon may be paid to any one of said persons, whether the other or others be living or not; When an agreement permitting such payment is signed by all said persons at the time the account is opened or thereafter and the receipt or acquittance of the person so paid shall be valid and sufficient discharge from all parties to the bank for any payments so made.

APPROVED June 26, 1917.

JUDGMENTS AND DECREES.

ACT OF 1872 AMENDED.

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| § 1. Amends sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27a, 28, 29 and 30, Act of 1872. | § 23. Holder of certificate shall have right to pay taxes and assessments with interest. |
| § 16. When real estate directed to be sold—certificate—what to contain—filing with recorders. | § 24. Redemption by joint owner. |
| § 17. How execution may issue to recover debt. | § 25. Redemption on probated claims. |
| § 18. Redemption by defendant. | § 26. Certificate assignable. |
| § 19. Certificate of redemption—to be recorded. | § 27. Redemption by defendant of creditor's certificate. |
| § 20. Redemption by creditor—certificate. | § 27a. Commission. |
| § 21. How successive redemption made—costs—certificate. | § 28. Sale of real estate to satisfy judgment—certificate. |
| § 22. Preferences in redemption. | § 29. Deed—limitation. |
| | § 30. When sale null and void. |
| | § 2. To what sales Act not to apply. |

(HOUSE BILL No. 664. APPROVED JUNE 11, 1917.)

AN ACT to amend sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27a, 28, 29 and 30 of an Act entitled, "An Act in regard to judgments and decrees and the manner of enforcing the same by execution and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by subsequent Acts, and to make the amendments and repeal effected hereby inapplicable to sales of real estate made pursuant to decrees foreclosing mortgages or trust deeds executed prior to July 1, 1917, or foreclosing mechanic's liens or vendor's liens arising out of contracts existing prior to July 1, 1917, or made pursuant to a judgment or decree for breach of a contract existing prior to July 1, 1917, or any judgment or decree entered prior to July 1, 1917."

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27a, 28, 29 and 30 of an Act entitled, "An Act in regard to judgments and decrees and the manner of enforcing the

same by execution and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by subsequent Acts, be and the same hereby are amended so as to read as follows:

§ 16. When any real estate shall be levied upon by virtue of any execution as aforesaid or shall be directed to be sold in satisfaction of any judgment or decree of foreclosure of mortgage, enforcement of mechanic's lien or vendor's lien or for the payment of money, it shall be the duty of the sheriff, master in chancery, or other officer making such levy or directed to make such sale, at once to make and deliver to said judgment or decree creditor a certificate containing the names of the parties as set forth in said judgment or decree, the date of said judgment or decree and the amount due thereon, including interest, together with a description of the real estate levied on or directed to be sold and costs accrued and the cost of recording a copy of said certificate, and thereupon at the cost of said judgment or decree creditor shall file in the office of the recorder of the county in which the real estate is situated a duplicate of such certificate.

§ 17. To recover the debt found due in a decree execution may issue as in judgments at law against the lands and tenements, goods and chattels of the person held personally liable to pay the debt so found due.

On cause shown the court may, at any time before sale, appoint a receiver of real estate, or any part thereof, described in the bill or decree of foreclosure, enforcement of mechanic's lien, vendor's lien and of the rents, issues and profits arising therefrom.

§ 18. Any defendant, his heirs, executors, administrators or assigns or any person interested in the real estate through or under such defendant may, within twelve months from the date of such certificate, or within fifteen months therefrom if there shall be no redemption by a decree or judgment creditor as hereinafter provided, pay to the sheriff, master in chancery, or other officer issuing said certificate, or his successor in office, for the benefit of the decree or judgment creditor, his executors, administrators or assigns holding such certificate, the amount due as set forth in said certificate, together with interest thereon at the rate of six per centum per annum from the date of said certificate, and all other sums due under said certificate according to the provisions of this Act. Said certificate shall thereupon be null and void.

§ 19. It shall be the duty of the sheriff, master in chancery, or other officer or person who executed said certificate, upon payment to him of said sum as aforesaid to make out an instrument in writing under his hand and seal evidencing such satisfaction, which shall be recorded in the recorder's office of the proper county, which recording shall be paid for by the party so satisfying said judgment or decree.

§ 20. If such decree or judgment shall not be satisfied, as aforesaid, any decree or judgment creditor, his executors, administrators or assigns may, after the expiration of twelve months and within fifteen months after the date of said certificate, redeem the said real estate in the following manner: Such creditor, his executors, administrators or assigns may sue out an execution upon his judgment or decree, and place

the same in the hands of the sheriff or other proper officer to execute the same, who shall endorse upon the back thereof a levy of the real estate desired to be redeemed, and the person desiring to make such redemption shall pay to such officer the amount due, as set forth in said certificate with interest thereon at the rate of six per centum per annum from the date thereof and all other sums due under said certificate according to the provisions of this Act, as shown in said certificate, together with costs, as therein set forth, for the use of such creditor, his executors, administrators, or assigns; whereupon such officer shall, at the cost of the redeeming creditor, make and deliver to the person so redeeming a certificate of such redemption, setting forth the amount of redemption money paid and when paid, the amount of the judgment or decree upon which execution issued and when issued, the amount of costs paid by said redeeming creditor, and at the cost of the person so redeeming thereupon file in the office of the recorder of the county in which the real estate is situated a duplicate of said certificate.

§ 21. Successive redemption may be made as follows: The creditor so redeeming shall pay to said officer the amount of the redemption money last paid, together with interest thereon at the rate of six per centum per annum from the date of such redemption, and the costs thereon, and the amount of the judgment or decree under which said previous judgment or decree creditor so redeemed with interest thereon from the date of such judgment or decree as shown by said redemption certificate filed for record as aforesaid, and all other sums due under said last certificate of redemption according to the provisions of this Act for the use of the creditor named in such redemption certificate, his executors, administrators or assigns; whereupon such offer shall, at the cost of said redeeming creditor, deliver to the person so redeeming a certificate of such last redemption, setting forth the amount of redemption money paid and when paid, and the amount of the judgment or decree under which such redemption was made, and the date of rendition of the same, the amount of costs paid by said redeeming party, and the cost of recording a duplicate of said last certificate of redemption, and thereupon file in the office of the recorder in the county in which the real estate is situated a duplicate of such last certificate of redemption.

§ 22. When there are several decree or judgment creditors, the creditor having the senior judgment or decree shall have the preference to redeem during the first two days next after the expiration of the twelve months, and the other creditors shall respectively have preference to redeem during a like time, in the order of seniority of their several judgments or decrees; but where two or more judgments or decrees bear equal date, the creditor first paying the redemption money shall have preference.

§ 23. The holder of any certificate heretofore described in this Act shall have the right to pay all taxes and assessments which are or may become a lien on the real estate therein described, and the amount paid for such taxes and assessments together with interest thereon at the rate of six per centum per annum shall be added to the amount due under such certificate and shall likewise be due thereunder, upon a receipt or

receipts for such taxes or assessments being filed with the officer who executed such certificate, or his successor in office.

§ 24. Any joint owner, his executors, administrators or assigns, or a decree or judgment creditor of such joint owner may redeem the interest of such joint owner in the real estate to be sold, on execution or decree, in the manner and upon the conditions hereinbefore provided, upon the payment of his proportion of the amount which would be necessary to redeem the whole.

§ 25. For the purpose of redemption of real estate of a deceased debtor, any person whose claim shall have been probated and allowed against the estate of such deceased debtor, shall be considered a judgment creditor, and for the purpose of enabling such creditor to redeem it shall be lawful for the clerk of the court wherein letters testamentary or of administration were granted, to issue a special execution to the sheriff of the proper county and like proceedings for redemption shall be had as upon other executions.

§ 26. Every certificate which shall be issued by any officer under the provisions of this Act, shall be assignable by endorsement thereon, under the hand of the person to whom it shall be issued, or his heirs, executors, administrators or assigns, and every person to whom the same shall be so assigned shall be entitled to the same benefits therefrom in every respect, that the person therein named would have been if the same had not been assigned.

§ 27. At any time before the expiration of fifteen months from the date of the certificate provided for in section 16 of this Act, any defendant, his heirs, executors, administrators or assigns may pay to the officer issuing the last certificate of redemption or to his successor in office, for the benefit of the person to whom it was issued, his executors, administrators or assigns, the amount due under such certificate of redemption with interest at six per centum per annum from the date thereof and all other sums due thereunder by the terms of this Act, and thereupon such redemption certificate and all preceding certificates shall be null and void and the judgment or decree on which the original certificate was based shall thereupon be satisfied and such officer or his successor in office shall make out under his hand and seal and deliver to the person making the payment an instrument in writing evidencing such payment and such person shall cause the same to be recorded in the recorder's office of the proper county.

§ 27a. No commission on the amount of the redemption money paid, in any case shall be allowed to the officer receiving the same.

§ 28. If said judgment or decree shall not be satisfied, as aforesaid, by any defendant, his heirs, executors, administrators, assigns or any person interested in the real estate through or under the defendant, the real estate in said certificate described shall immediately after the expiration of fifteen months from the date of the first certificate provided for in this Act, be sold by the sheriff, master in chancery, or other officer who issued said first certificate, or by his successor in office or by some person especially appointed to make such sale, to satisfy the amount due under

said certificate or under the last recorded certificate of redemption as in this Act provided.

§ 29. Upon making any sale of real estate the purchaser shall be entitled to a deed therefor at any time within five years from the date of such sale. The deed shall be executed by the sheriff, master in chancery or other officer who made such sale, or by his successor in office, or by some person especially appointed by the court for the purpose.

§ 30. When such deed is not taken within the time limited by this Act the sale shall be null and void; but if such deed is wrongfully withheld by the officer whose duty it is to execute the same, or if the execution of such deed is restrained by injunction or order of a court or judge, the time during which the deed is so withheld or the execution thereof restrained shall not be taken as any part of the five years within which said purchaser shall take a deed.

§ 2. This Act and the amendments effected hereby, shall not apply to sales of real estate made pursuant to decrees foreclosing mortgages or trust deeds executed prior to July 1, 1917, or foreclosing mechanic's liens or vendor's liens arising out of contracts existing prior to July 1, 1917, or made pursuant to a judgment or decree for breach of a contract existing prior to July 1, 1917, or any judgment or decree entered prior to July 1, 1917; but such sales shall be governed by the existing provisions of the Act entitled, "An Act in regard to judgments and decrees and the manner of enforcing the same by execution and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, and Acts amendatory thereof.

APPROVED June 11, 1917.

JUSTICES AND CONSTABLES.

JURISDICTION.

§ 1. Amends section 1, Article II.

§ 1. Jurisdiction—cases enumerated.

(HOUSE BILL No. 636. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to justices of the peace and constables*," approved June 26, 1895, in force July 1, 1895, as subsequently amended by amending section 1, article II of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to revise the law in relation to justices of the peace and constables*," approved June 26, 1895, in force July 1, 1895, as subsequently amended be and the same is hereby amended by amending section 1 of article II of the said Act to read as follows:

§ 1. Justices of the peace shall have jurisdiction in their respective counties in the following cases, when the amount claimed does not exceed three hundred dollars.

First—In actions arising on contracts, whether under seal or not, express or implied, for the recovery of money only. When the action is

upon a bond, the amount to be recovered thereon, and not the penalty of the bond shall determine the jurisdiction; and when the payments are to be made by installments, an action may be brought for any installment as it shall become due.

Second—In actions for damages for injury to real property, or for taking, detaining or injuring personal property.

Third—In actions for rent and distress for rent.

Fourth—In actions against railroad companies and any person controlling, operating or using any railroad, for killing or injuring horses, cattle, sheep, hogs or other stock; for loss of or injury to baggage or freight; and for injury or damage to real or personal property, caused by setting fire to the same by their engines, or otherwise.

Fifth—In actions of replevin, when the value of the property claimed does not exceed three hundred dollars.

Sixth—In actions for damages for fraud in the sale, purchase or exchange of personal property, and in all cases where the action of debt or assumpsit will lie, if the damages claimed do not exceed three hundred dollars. This section shall apply to claims originally exceeding three hundred dollars, if the same shall at the time of rendition of the judgment, be reduced by credits or deductions to an amount not exceeding three hundred dollars.

Seventh—In all actions arising under the laws for the incorporation of cities, towns and villages, or any ordinance passed in pursuance thereof, where the amount claimed does not exceed three hundred dollars.

Eighth—In actions arising under the law in relation to dram-shops, where the damage claimed does not exceed three hundred dollars.

Ninth—In all actions for the recovery of statutory fines or penalties in which the amount claimed does not exceed three hundred dollars.

Tenth—In all actions by and against towns, cities, villages, or other municipal corporations, which, if brought by an individual, might be brought before a justice of the peace.

Eleventh—To assess damages for sheep killed by dogs.

Twelfth—In proceedings against vagrants or vagabonds.

Thirteenth—In actions arising under the laws for the preservation of fish and game.

Fourteenth—In actions of forcible entry and detainer.

Fifteenth—In all criminal actions in which the punishment is by fine only, and does not exceed three hundred dollars; and such other jurisdiction as has been, or shall be, conferred by law.

Sixteenth—In garnishment by attachment or summons the amount of the claim of garnishor, and not the amount of the answer of the garnishee, shall determine the jurisdiction.

APPROVED June 25, 1917.

LIBRARIES.

IN PUBLIC PARKS—ERECTION OF LIBRARY BUILDING.

§ 1. Amends Act of 1903, by adding section 3a.

§ 3a. Corporate authorities in control of park district may permit erection of library building — use of building for public purposes—referendum.

(SENATE BILL NO. 3. APPROVED MAY 18, 1917.)

AN ACT to amend an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, by adding thereto a new section to be known as section three-a (3a).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, be amended by adding thereto a new section to be known as section three-a (3a), which said added section shall read as follows:

§ 3a. The corporate authorities of any park district whose limits are co-extensive with the limits of any city, village, or incorporated town lying wholly within any congressional township, in which there is or shall be established and maintained, a free public library under the terms and provisions of an Act entitled, "An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, and all Acts amendatory thereof, the corporate authorities of any such city, village, or incorporated town having the control or supervision of any public park or parks, are hereby authorized to permit the board of library directors having control of such library, to erect and maintain in any public park of such park district, city, village, or incorporated town, a library building which shall be under the exclusive control and supervision of said board of library directors, so long as such building shall be used as a free public library; and to contract with such board of library directors relative to the erection and maintenance and administration thereof: *Provided*, that any portion of such building less than the whole which shall not from time to time be needed for library purposes, may be rented for public purposes only by said board of library directors to or with the consent of, such park district, city, village, or incorporated town.

Provided, however, that before this Act shall become effective as to any such park district, city, village, incorporated town or township, it must first be submitted to a vote of the people thereof at a regular election of officers thereof, or at a special election called for such purpose by the corporate authorities of such park district, city, village, incorporated town or township, as the case may be. In case of such special election, at least twenty days' notice of the purpose thereof and of the time and place of holding the same shall be given by publication at least once in a newspaper of general circulation published in such park district, city, village, incorporated town or township; or, if none there is published,

then in a newspaper of general circulation published in the county or counties in which such park district, city, village, incorporated town or township is located. The votes cast upon the question shall be counted, canvassed and returned as in the case of the election of officers of such park district, city, village, incorporated town or township, as the case may be, and if a majority of the votes cast upon such question shall be in the affirmative, then this Act shall be at once applicable and in force as to such park district, city, village, incorporated town or township.

APPROVED May 18, 1917.

LIBRARIES IN PUBLIC PARKS.

§ 1. Amends Act of 1903, by adding section 3b.

§ 3b. Establish d—co-extension
territori j—referendum.

(HOUSE BILL NO. 163. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, by adding thereto a new section to be known as section three-b (3b).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act concerning free public libraries in public parks," approved May 14, 1903, in force July 1, 1903, be amended by adding thereto a new section to be known as section three-b (3b), which said added section shall read as follows:

§ 3b. The corporate authorities of any park district whose limits are co-extensive with the limits of any city, village or incorporated town lying wholly within any congressional township, in which there is or shall be established and maintained, a free public library under the terms and provisions of an Act entitled, "An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, and all Acts amendatory thereof, are hereby authorized to permit the board of library directors having control of such library, to erect and maintain in any public park of such park district, a library building which shall be under the exclusive control and supervision of said board of library directors, so long as such building shall be used as a free public library; and to contract with such board of library directors relative to the erection, maintenance and administration thereof: *Provided*, that any portion of such building less than the whole which shall not from time to time be needed for library purposes, may be rented for public purposes only by said board of library directors to or with the consent of such park district.

Provided, however, that before this Act shall become effective as to any such park district, it must first be submitted to a vote of the people thereof at a regular election of officers thereof or at a special election called for such purpose by the corporate authorities of such park district. In case of such special election at least twenty days' notice of the purpose thereof and of the time and place of holding the same shall be given by publication at least once in a newspaper of general circulation

published in such park district, or, if none there is published, then in a newspaper of general circulation published in the county or counties in which such park district is located. The votes cast upon the question shall be counted, canvassed and returned as in the case of the election of officers of such park district, and if a majority of the votes cast upon such question shall be in the affirmative, then this Act shall be at once applicable and in force as to such park district.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LIENS.

MECHANICS' LIENS—REMEDIAL ACT.

§ 1. Amends section 23, Act of 1903.

§ 23. Liens against public funds
—liability and duty of
official.

(HOUSE BILL No. 548. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act to revise the law in relation to mechanics' liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches,*" approved May 18, 1903, in force July 1, 1903, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 23 of an Act entitled, "*An Act to revise the law in relation to mechanics' liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches,*" approved May 18, 1903, in force July 1, 1903, as amended, be and the same is hereby amended to read as follows:

§ 23. Any person who shall furnish material, apparatus, fixtures, machinery, or labor to any contractor having a contract for a public improvement in this State, shall have a lien on the money, bonds or warrants due or to become due such contractor under such contract: *Provided*, such person shall, before payment or delivery thereof is made to such contractor, notify the official or officials of the State, county, township, school district, city or municipality whose duty it is to pay such contractor of his claim by a written notice; *and provided, further*, that such lien shall attach only to that portion of such money, bonds or warrants against which no voucher or other evidence of indebtedness has been issued and delivered to the contractor by or on behalf of the State, county, township, school district, city or municipality as the case may be at the time of such notice. It shall be the duty of any such official so notified to withhold a sufficient amount to pay such claim until the same is admitted by the contractor, or adjusted by the agreement of the parties, or there has been an adjudication of same in a court of competent jurisdiction, and thereupon to pay the amount so determined to be due such claimant, if any, and to that end the said State, county, township, school district, city or municipality or any of the other parties interested

may institute suit in the same manner as is provided herein in case of privately owned real estate to determine the rights of the parties when such claim is filed. Any payment so made to such claimant shall be a credit on the contract price to be paid to such contractor. Any officer violating the duty hereby imposed upon him shall be liable on his official bond to the claimant serving such notice for the damages resulting from such violation, which may be recovered in an action at law in any court of competent jurisdiction. There shall be no preference between the persons serving such notice, but all shall be paid *pro rata* in proportion to the amount due under their respective contracts."

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

GARAGE KEEPERS.

§ 1. Amends Act of 1874, by adding sections 3a, 3b, 3c and 3d.

§ 3a. Lien of garage keepers upon motor vehicles.

§ 3b. Garage keepers may replevin motor vehicle or accessories to enforce lien.

§ 3c. Enforcement of lien — notice of sale of property.

§ 3d. "Garage Keeper" defined.

(SENATE BILL NO. 197. APPROVED JUNE 21, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as subsequently amended, by adding four (4) new sections thereto to be numbered sections three-a (3a), three-b (3b), three-c (3c) and three-d (3d).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as subsequently amended, be and is hereby amended by adding four (4) new sections thereto to be known as sections three-a (3a), three-b (3b), three-c (3c) and three-d (3d), to read as inserted at length herein.

§ 3a. Garage keepers shall have a lien upon any motor vehicle, parts and accessories thereof, kept by them for the proper charges due for the keeping thereof, the repair thereof, the materials furnished thereto, and the expenses bestowed thereon at the request of the owner, or the person having the possession thereof; *provided*, that such a lien shall not apply to motor vehicles, parts or accessories sold on conditional sale while the vendor remains unpaid; and, *provided, further*, that the contract of sale or mortgage of the conditional vendor has been filed for record in the recorder's office in the county in which said sale takes place, before any lien sought to be enforced under this Act attaches.

§ 3b. Any garage keeper acquiring a lien, under the provisions of this Act, upon any motor vehicle, parts or accessories thereof, may replevin the same in any court of competent jurisdiction within the

State of Illinois, for the purpose of enforcing such lien and thereby seize and secure the possession of said motor vehicle, parts or accessories thereof, wherever the same may be found within the jurisdiction of the court issuing said writ, *provided* that said motor vehicle, parts or accessories have not been sold to a bona fide purchaser and when he shall have so obtained the possession thereof he may hold the same for the enforcement of said lien in the manner as is in this Act hereinafter provided. Such action shall be instituted within three months after the said lien attaches to said motor vehicle, parts or accessories thereof.

§ 3c. Garage keepers acquiring a lien under this Act may enforce said lien by a sale of said property when possession of same is lawfully secured on giving the owner thereof, if he and his residence be known, to the garage keeper having such lien, ten (10) days notice in writing of the time and place of such sale, and if said owner or his place of residence be unknown to the person having such lien, then upon his filing his affidavit to that effect with the clerk of the County Court in the county where said property is situated; notice of said sale may be given by publishing the same once in each week for three (3) successive weeks in some newspaper of general circulation published in said county; and out of the proceeds of said sale, the amount of said lien and costs shall be paid and the surplus, if any, shall be paid to the owner of said property. The provisions of this Act shall apply to all garage keepers, whether persons or corporations.

§ 3d. Wherever, in this Act is used the term "garage keeper," it shall be construed to include all persons who for hire or reward publicly offer to store, maintain, keep or repair automobiles and other motor propelled vehicles and to furnish accessories and supplies for automobiles or other motor propelled vehicles for the transportation of persons or merchandise upon and over the public streets and highways; *provided*, that in municipalities wherein are in force any laws or ordinances relative to the regulation and licensing of garages, no person shall be entitled to avail himself of the provision of this Act unless he shall, during the period of the whole time covered by his claim for lien, have been duly licensed and shall have fully complied with all laws and ordinances relative to the licensing of garages.

APPROVED June 21, 1917.

LIMITED PARTNERSHIPS.

LIMITED PARTNERSHIPS.

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| § 1. Definition of limited partnership. | § 17. Liability of limited partner to partnership. |
| § 2. Certificate of organization—contents—to be recorded—substantial compliance sufficient. | § 18. Nature of interest of limited partner in partnership. |
| § 3. To carry on any business—exceptions. | § 19. Assignment of limited partners interest. |
| § 4. Contributions. | § 20. Effect of retirement, death or insanity of general partner. |
| § 5. Use of surname of limited partner. | § 21. Death of limited partner. |
| § 6. Liability for false statements in certificate. | § 22. Rights of creditors of limited partner. |
| § 7. Limitation of liability. | § 23. Distribution of assets. |
| § 8. Additional limited partners. | § 24. When certificate shall be cancelled or amended. |
| § 9. Limitation upon powers of general partners. | § 25. Requirements for amendment or cancellation of certificate. |
| § 10. Rights of limited partners. | § 26. Parties to actions. |
| § 11. Person believing himself to be a limited partner not to be held as general partner. | § 27. Name of Act. |
| § 12. One person both general and limited partner. | § 28. Rules of construction. |
| § 13. Business transactions with limited partner. | § 29. Rules for cases not provided for in this Act. |
| § 14. Relations of limited partners inter se. | § 30. Provisions for existing limited partnerships. |
| § 15. Compensation—limited partners. | § 31. Acts repealed. |
| § 16. Withdrawal of limited partners contribution. | |

(HOUSE BILL NO. 303. FILED JUNE 28, 1917.)

AN ACT to make uniform the law relating to limited partnerships.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* A limited partnership is a partnership formed by two or more persons under the provisions of section 2, having as members one or more general partners and one or more limited partners. The limited partners as such shall not be bound by the obligations of the partnership.

§ 2. FORMATION.] (1) Two or more persons desiring to form a limited partnership shall

(a) Sign and swear to a certificate, which shall state

I. The name of the partnership,

II. The character of the business,

III. The location of the principal place of business,

IV. The name and place of residence of each member; general and limited partners being respectively designated,

V. The term for which the partnership is to exist,

VI. The amount of cash and a description of and the agreed value of the other property contributed by each limited partner,

VII. The additional contributions, if any, agreed to be made by each limited partner and the times at which or events on the happening of which they shall be made,

VIII. The time, if agreed upon, when the contribution of each limited partner is to be returned,

IX. The share of the profits or the other compensation by way of income which each limited partner shall receive by reason of his contribution,

X. The right, if given, of a limited partner to substitute an assignee as contributor in his place, and the terms and conditions of the substitution,

XI. The right, if given, of the partners to admit additional limited partners,

XII. The right, if given, of one or more of the limited partners to priority over other limited partners, as to contributions or as to compensation by way of income, and the nature of such priority,

XIII. The right, if given, of the remaining general partner or partners to continue the business on the death, retirement or insanity of a general partner, and

XIV. The right, if given, of a limited partner to demand and receive property other than cash in return for his contribution,

(b) File for record the certificate in the office of the recorder of deeds of the county where the principal office of such limited partnership is located.

(2) A limited partnership is formed if there has been substantial compliance in good faith with the requirements of paragraph (1).

§ 3. A limited partnership may carry on any business which a partnership without limited partners may carry on, except banking, insurance, brokerage and the operation of railroads.

§ 4. The contributions of a limited partner may be cash or other property, but not services.

§ 5. (1) The surname of a limited partner shall not appear in the partnership name, unless

(a) It is also the surname of a general partner, or

(b) Prior to the time when the limited partner became such the business had been carried on under a name in which his surname appeared.

(2) A limited partner whose name appears in a partnership name contrary to the provisions of paragraph (1) is liable as a general partner to partnership creditors who extend credit to the partnership without actual knowledge that he is not a general partner.

§ 6. If the certificate contains a false statement, one who suffers loss by reliance on such statement may hold liable any party to the certificate who knew the statement to be false

(a) At the time he signed the certificate, or

(b) Subsequently, but within a sufficient time before the statement was relied upon to enable him to cancel or amend the certificate, or to file a petition for its cancellation or amendment as provided in section 25 (3).

§ 7. A limited partner shall not become liable as a general partner unless, in addition to the exercise of his rights and powers as a limited partner, he takes part in the control of the business.

§ 8. After the formation of a limited partnership, additional limited partners may be admitted upon filing an amendment to the original certificate in accordance with the requirements of section 25.

§ 9. (1) A general partner shall have all the rights and powers and be subject to all the restrictions and liabilities of a partner in a partnership without limited partners, except that without the written consent or ratification of the specific act by all the limited partners, a general partner or all of the general partners have no authority to

- (a) Do any act in contravention of the certificate,
- (b) Do any act which would make it impossible to carry on the ordinary business of the partnership,
- (c) Confess a judgment against the partnership,
- (d) Possess partnership property, or assign their rights in specific partnership property, for other than a partnership purpose,
- (e) Admit a person as a general partner,
- (f) Admit a person as a limited partner, unless the right so to do is given in the certificate,
- (g) Continue the business with partnership property on the death, retirement or insanity of a general partner, unless the right so to do is given in the certificate.

§ 10. RIGHTS OF A LIMITED PARTNER.] (1) A limited partner shall have the same rights as a general partner to

- (a) Have the partnership books kept at the principal place of business of the partnership, and at all times to inspect and copy any of them,
 - (b) Have on demand true and full information of all things affecting the partnership, and a formal account of partnership affairs whenever circumstances render it just and reasonable, and
 - (c) Have dissolution and winding up by decree of court.
- (2) A limited partner shall have the right to receive a share of the profits or other compensation by way of income, and to the return of his contribution as provided in sections 15 and 16—

§ 11—A person who has contributed to the capital of a business conducted by a person or partnership erroneously believing [believing] that he has become a limited partner in a limited partnership, is not, by reason of his exercise of the rights of a limited partner, a general partner with the person or in the partnership carrying on the business, or bound by the obligations of such person or partnership; provided that on ascertaining the mistake he promptly renounces his interest in the profits of the business, or other compensation by way of income.

§ 12. ONE PERSON BOTH GENERAL AND LIMITED PARTNER.] (1) A person may be a general partner and a limited partner in the same partnership at the same time.

(2) A person who is a general, and also at the same time a limited partner, shall have all the rights and powers and be subject to all the restrictions of a general partner; except that, in respect to his contribu-

tion, he shall have the rights against the other members which he would have had if he were not also a general partner.

§ 13—LOANS AND OTHER BUSINESS TRANSACTIONS WITH LIMITED PARTNER.] (1) A limited partner also may loan money to and transact other business with the partnership, and, unless he is also a general partner, receive on account of resulting claims against the partnership, with general creditors, a *pro rata* share of the assets. No limited partner shall in respect to any such claim

(a) Receive or hold as collateral security any partnership property, or

(b) Receive from a general partner or the partnership any payment, conveyance, or release from liability, if at the time the assets of the partnership are not sufficient to discharge partnership liabilities to persons not claiming as general or limited partners.

(2) The receiving of collateral security, or a payment, conveyance, or release in violation of the provisions of paragraph (1) is a fraud on the creditors of the partnership.

§ 14. RELATION OF LIMITED PARTNERS INTER SE.] Where there are several limited partners the members may agree that one or more of the limited partners shall have a priority over other limited partners as to the return of their contributions, as to their compensation by way of income, or as to any other matter. If such an agreement is made it shall be stated in the certificate, and in the absence of such a statement all the limited partners shall stand upon equal footing.

§ 15. COMPENSATION OF LIMITED PARTNERS.] A limited partner may receive from the partnership the share of the profits or the compensation by way of income stipulated for in the certificate; *provided*, that after such payment is made, whether from the property of the partnership or that of a general partner, the partnership assets are in excess of all liabilities of the partnership except liabilities to limited partners on account of their contributions and to general partners.

§ 16—WITHDRAWAL OR REDUCTION OF LIMITED PARTNER'S CONTRIBUTION.] (1) A limited partner shall not receive from a general partner or out of partnership property any part of his contribution until

(a) All liabilities of the partnership, except liabilities to general partners and to limited partners on account of their contributions, have been paid or there remains property of the partnership sufficient to pay them,

(b) The consent of all members is had, unless the return of the contribution may be rightfully demanded under the provisions of paragraph (2), and

(c) The certificate is cancelled or so amended as to set forth the withdrawal or reduction.

(2) Subject to the provisions of paragraph (1) a limited partner may rightfully demand the return of his contribution

(a) On the dissolution of a partnership, or

(b) When the date specified in the certificate for its return has arrived, or

(c) After he has given six months' notice in writing to all other members, if no time is specified in the certificate either for the return of the contribution or for the dissolution of the partnership.

(3) In the absence of any statement in the certificate to the contrary or the consent of all members, a limited partner, irrespective of the nature of his contribution, has only the right to demand and receive cash in return for his contribution.

(4) A limited partner may have the partnership dissolved and its affairs wound up when

(a) He rightfully but unseccessfully [unsuccessfully] demands the return of his contribution, or

(b) The other liabilities of the partnership have not been paid, or the partnership property is insufficient for their payment as required by paragraph

(1a) And the limited partner would otherwise be entitled to the return of his contribution.

§ 17. LIABILITY OF LIMITED PARTNER TO PARTNERSHIP.] (1) A limited partner is liable to the partnership

(a) For the difference between his contribution as actually made and that stated in the certificate as having been made, and

(b) For any unpaid contribution which he agreed in the certificate to make in the future at the time and on the conditions stated in the certificate.

(2) A limited partner holds as trustee for the partnership

(a) Specific property stated in the certificate as contributed by him, but which was not contributed or which has been wrongfully returned, and

(b) Money or other property wrongfully paid or conveyed to him on account of his contribution.

(3) The liabilities of a limited partner as set forth in this section can be waived or compromised only by the consent of all members; but a waiver or compromise shall not affect the right of a creditor of a partnership who extended credit or whose claim arose after the filing and before a cancellation or amendment of the certificate, to enforce such liabilities.

(4) When a contributor has rightfully received the return in whole or in part of the capital of his contribution, he is nevertheless liable to the partnership for any sum, not in excess of such return with interest, necessary to discharge its liabilities to all creditors who extended credit or whose claims arose before such return.

§ 18—NATURE OF LIMITED PARTNER'S INTEREST IN PARTNERSHIP.] A limited partner's interest in the partnership is personal property.

§ 19. ASSIGNMENT OF LIMITED PARTNER'S INTEREST.] (1) A limited partner's interest is assignable.

(2) A substituted limited partner is a person admitted to all the rights of a limited partner who has died or has assigned his interest in a partnership.

(3) An assignee, who does not become a substituted limited partner, has no right to require any information or account of the partner-

ship transactions or to inspect the partnership books; he is only entitled to receive the share of the profits or other compensation by way of income, or the return of his contribution, to which his assignor would otherwise be entitled.

(4) An assignee shall have the right to become a substituted limited partner if all the members (except the assignor) consent thereto or if the assignor, being thereunto empowered by the certificate, gives the assignee that right.

(5) An assignee becomes a substituted limited partner when the certificate is appropriately amended in accordance with section 25.

(6) The substituted limited partner has all the rights and powers, and is subject to all the restrictions and liabilities of his assignor, except those liabilities of which he was ignorant at the time he became a limited partner and which could not be ascertained from the certificate.

(7) The substitution of the assignee as a limited partner does not release the assignor from liability to the partnership under sections 6 and 17.

§ 20. EFFECT OF RETIREMENT, DEATH OR INSANITY OF A GENERAL PARTNER.] The retirement, death or insanity of a general partner dissolves the partnership, unless the business is continued by the remaining general partners

(a) Under a right so to do stated in the certificate, or

(b) With the consent of all members.

§ 21. DEATH OF LIMITED PARTNER.] (1) On the death of a limited partner his executor or administrator shall have all the rights of a limited partner for the purpose of settling his estate, and such power as the deceased had to constitute his assignee a substituted limited partner.

(2) The estate of a deceased limited partner shall be liable for all his liabilities as a limited partner.

§ 22. RIGHTS OF CREDITORS OF LIMITED PARTNER.] (1) On due application to a court of competent jurisdiction by any judgment creditor of a limited partner, the court may charge the interest of the indebted limited partner with payment of the unsatisfied amount of the judgment debt; and may appoint a receiver, and make all other orders, directions, and inquiries which the circumstances of the case may require.

(2) The interest may be redeemed with the separate [separate] property of any general partner, but may not be redeemed with partnership property.

(3) The remedies conferred by paragraph (1) shall not be deemed exclusive of others which may exist.

(4) Nothing in this Act shall be held to deprive a limited partner of his statutory exemption.

§ 23. DISTRIBUTION OF ASSETS.] (1) In settling accounts after dissolution the liabilities of the partnership shall be entitled to payment in the following order;

(a) Those to creditors, in the order of priority as provided by law, except those to limited partners on account of their contributions, and to general partners,

(b) Those to limited partners in respect to their share of the profits and other compensation by way of income on their contributions,

(c) Those to limited partners in respect to the capital of their contributions,

(d) Those to general partners other than for capital and profits,

(e) Those to general partners in respect to profits,

(f) Those to general partners in respect to capital.

(2) Subject to any statement in the certificate or to subsequent agreement, limited partners share in the partnership assets in respect to their claims for capital, and in respect to their claims for profits or for compensation by way of income on their contributions respectively, in proportion to the respective amounts of such claims.

§ 24. WHEN CERTIFICATE SHALL BE CANCELLED OR AMENDED.]

(1) The certificate shall be cancelled when the partnership is dissolved or all limited partners cease to be such.

(2) A certificate shall be amended when

(a) There is a change in the name of the partnership or in the amount or character of the contribution of any limited partner,

(b) A person is substituted as a limited partner,

(c) An additional limited partner is admitted,

(d) A person is admitted as a general partner,

(e) A general partner retires, dies, or becomes insane, and the business is continued under section 20,

(f) There is a change in the character of the business of the partnership,

(g) There is a false or erroneous statement in the certificate,

(h) There is a change in the time as stated in the certificate for the dissolution of the partnership or for the return of a contribution,

(i) A time is fixed for the dissolution of the partnership, or the return of a contribution, no time having been specified in the certificate, or

(j) The members desire to make a change in any other statement in the certificate in order that it shall accurately represent the agreement between them.

§ 25. REQUIREMENTS FOR AMENDMENT AND FOR CANCELLATION OF CERTIFICATE.] (1) The writing to amend a certificate shall

(a) Conform to the requirements of section 2

(1a) as far as necessary to set forth clearly the change in the certificate which it is desired to make, and

(b) Be signed and sworn to by all members and an amendment substituting a limited partner or adding a limited or a general partner shall be signed also by the member to be substituted or added, and when a limited partner is to be substituted, the amendment shall also be signed by the assigning limited partner.

(2) The writing to cancel a certificate shall be signed by all members.

(3) A person desiring the cancellation or amendment of a certificate, if any person designated in paragraphs (1) and (2) as a person who must execute the writing refuses to do so, may petition the (here designate the proper court) to direct a cancellation or amendment thereof.

(4) If the court finds that the petitioner has a right to have the writing executed by a person who refuses to do so, it shall order the recorder of deeds in the office where the certificate is recorded to record the cancellation or amendment of the certificate; and where the certificate is to be amended, the court shall also cause to be filed for record in said office a certified copy of its decree setting forth the amendment.

(5) A certificate is amended or canceled [cancelled] when there is filed for record in the office (here designate the office designated in section 2) where the certificate is recorded.

(a) A writing in accordance with the provisions of paragraph (1) or (2) or

(b) A certified copy of the order of court in accordance with the provisions of paragraph (4).

(6) After the certificate is duly amended in accordance with this section, the amended certificate shall thereafter be for all purposes the certificate provided for by this Act.

§ 26. PARTIES TO ACTIONS.] A contributor, unless he is a general partner, is not a proper party to proceedings by or against a partnership, except where the object is to enforce a limited partner's right against or liability to the partnership.

§ 27. NAME [NAME] OF ACT.] This Act may be cited as the Uniform Limited Partnership Act.

§ 28. RULES OF CONSTRUCTION.] (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act.

(2) This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(3) This Act shall not be so construed as to impair the obligations of any contract existing when the Act goes into effect, nor to affect any action or proceedings begun or right accrued before this Act takes effect.

§ 29. RULES FOR CASES NOT PROVIDED FOR IN THIS ACT.] In any case not provided for in this Act the rules of law and equity, including the law merchant, shall govern.

§ 30. PROVISIONS FOR EXISTING LIMITED PARTNERSHIP.] (1) A limited partnership formed under any statute of this State prior to the adoption of this Act, may become a limited partnership under this Act by complying with the provisions of section 2; *provided* the certificate sets forth

(a) The amount of the original contribution of each limited partner, and the time when the contribution was made, and

(b) That the property of the partnership exceeds the amount sufficient to discharge its liabilities to persons not claiming as general or limited partners by an amount greater than the sum of the contributions of its limited partners.

(2) A limited partnership formed under any statute of this State prior to the adoption of this Act, until or unless it becomes a limited partnership under this Act, shall continue to be governed by the provisions of an Act entitled, "An Act to revise the law in relation to limited partnerships," approved March 18, 1874, in force July 1, 1874,

except that such partnership shall not be renewed unless so provided in the original agreement.

§ 31. ACT (ACTS) REPEALED.] Except as affecting existing limited partnerships to the extent set forth in section 30, the Act entitled "An Act to revise the law in relation to limited partnerships," approved March 18, 1874, in force July 1, 1874, is hereby repealed.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

LUNATICS, IDIOTS, DRUNKARDS AND SPENDTHRIFTS.

§ 1. Amends Act of 1874, by adding section 36a.

§ 36a. Removal of estate of ward to another county—jurisdiction.

(HOUSE BILL No. 878. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, as subsequently amended, by adding thereto a new section to be known as section 36a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended, by adding thereto a new section, to be known as section 36a, to read as follows:

§ 36a. Whenever it shall appear to the court granting letters of conservatorship that the ward or the corpus of the estate or a major portion thereof, is removed from the county into another county in this State and that it would be for the best interest of the ward or his estate that the estate be administered in the county to which such ward or estate is removed, the court shall have power by an order entered therein to transfer such conservatorship to such other county and to order or authorize the issuance of certified copies of all petitions, applications, reports and orders in the estate: *Provided however,* that such order shall not be entered until it shall appear to the court having original jurisdiction that a conservator has been duly appointed and qualified in such other county.

Upon the filing of such order in the court to which the estate is transferred, such court shall enter such estate upon its docket, and upon the filing of satisfactory bond, issue letters of conservatorship and thereafter administer the estate as if letters originally issued from such court.

Copies of the files in any such case certified by the clerk of the court in which the same were filed, shall have the same force and effect as if originally filed in the court to which an estate is transferred.

APPROVED June 26, 1917.

MASTERS IN CHANCERY.

SPECIAL MASTERS IN CHANCERY.

§ 1. Amends section 5, Act of 1872.

§ 5. As amended, provides special master shall give bond unless no funds are to be paid.

(HOUSE BILL No. 115. APPROVED JUNE 14, 1917.)

AN ACT to amend section five, (5) of an Act entitled, "An Act concerning masters in chancery," approved April 4, 1872, in force July 1, 1872; as amended by an Act approved April 29, 1873, in force July 1, 1873, and as amended by an Act approved May 29, 1891, and in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section five (5) of an Act entitled, "An Act concerning masters in chancery," approved April 4, 1872, in force July 1, 1872; as amended by an Act approved April 29, 1873, in force July 1, 1873, and as amended by an Act approved May 29, 1891, and in force July 1, 1891, be and the same is hereby amended to read as follows:

§ 5. Whenever it shall happen that there is no master in chancery in any county, or when such master shall be of counsel or of kin to either party interested, or otherwise disqualified or unable to act in any suit or matter, the court may appoint a special master to perform the duties of the office in all things concerning such suit or matter; and every special master in chancery so appointed, before entering on the duties of his appointment, shall give bond, with security to be approved by the court, and take and subscribe an oath of office in such suit or matter, which bond and oath shall be filed with the clerk of the court making the appointment and spread upon the records thereof; *Provided, however,* that said special master shall not be required to give said bond if no funds shall be paid to him in said cause.

APPROVED June 14, 1917.

MEDICINE AND SURGERY.

MEDICAL PRACTICE ACT.

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| § 1. Act to be known as the Medical Practice Act of Illinois. | § 16. Fees. |
| § 2. No person to treat human ailments without a license. | § 17. Licenses to be recorded in office county clerk. |
| § 3. Examination prerequisite to obtaining a license. | § 18. Revocation of licenses. |
| § 4. Application for examination — fees. | § 19. Department of Registration and Education to establish educational standards, and to determine standing of institutions. |
| § 5. Minimum standards of professional education—Department of Registration and Education, to prescribe additional requirements. | § 20. Practice of medicine and treating of human ailments defined. |
| § 6. Limited license to practice in a hospital prior to July 1, 1922. | § 21. All practitioners permitted to use prescribed antiseptic precautions, and antidotes for poisoning. |
| § 7. Minimum standards of education preliminary to professional course. | § 22. Penalties for practicing without a license. |
| § 8. Preliminary education to admission to school for midwifery. | § 23. Penalties for forgery. |
| § 9. Examinations to be conducted by Department of Registration and Education. | § 24. Penalties for perjury. |
| § 10. Scope of examinations for practice of medicine and surgery. | § 25. Penalties for licensee under other systems advertising as physician or doctor without indicating his system of practice. |
| § 11. Scope of examinations for systems of practice without the use of drugs and surgery. | § 26. Penalties for midwives using drugs or medicine. |
| § 12. Scope of examinations for midwifery. | § 27. Outstanding certificates and licenses of State Board of Health in force July 1, 1917 continued. |
| § 13. Licenses. | § 28. Person licensed by State Board of Health to practice without drugs or surgery may obtain new license within one year. |
| § 14. Licenses to practice medicine and surgery to be issued licenses under other systems. | § 29. Act of April 24, 1899, repealed. |
| § 15. Licenses to be issued without examination to practitioners from other states upon conditions named. | |

(HOUSE BILL No. 657. APPROVED JUNE 25, 1917.)

AN ACT to revise the law in relation to the practice of the art of treating human ailments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* This Act shall be known as "the Medical Practice Act of Illinois."

§ 2. No person shall practice medicine and surgery or any of the branches thereof, or any system or method of treating human ailments without the use of drugs or medicines and without operative surgery, or midwifery, without a license so to do.

§ 3. No person shall, except as otherwise provided in this Act, hereafter be licensed to practice medicine, or any other system or method of treating human ailments, or midwifery, unless he shall pass a satisfactory examination conducted by the Department of Registration and Education, pursuant to an Act entitled, "An Act in relation to the civil

administration of the State Government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917.

§ 4. Each applicant for examination shall:

1. Make application for examination on blank forms prepared and furnished by the Department of Registration and Education;

2. Submit evidence, verified by oath, and satisfactory to the Department of Registration and Education that

(a) He his [is] twenty-one years of age or over;

(b) He is of good moral character;

(c) He has the professional and preliminary education required by this Act;

3. Designate in his application whether he desires to practice medicine and surgery in all their branches, or to treat human ailments without the use of drugs or medicines and without operative surgery and, if, he desires to treat human ailments without the use of drugs or medicines and without operative surgery, the designation shall be in accordance with the tenets of the professional school, college or institution of which he is a graduate;

4. Pay in advance to the Department of Registration and Education examination fees as follows:

(a) For the examination in medicine and in other systems of treating human ailments, ten dollars;

(b) For the examination in midwifery, five dollars.

§ 5. Minimum standards of professional education are fixed as follows:

1. For the practice of medicine and surgery in all their branches:

(a) For an applicant, who is a graduate of a medical college prior to July 1, 1922, that he is a graduate of a medical college deemed to be reputable and in good standing at the time of his graduation and completed a course of study in such medical college in accordance with the laws to regulate the practice of medicine and the rules of the State Board of Health established and in force at the time of graduation;

(b) For an applicant, who is a graduate of a medical college subsequent to July 1, 1922, that he is a graduate of a medical college deemed to be reputable and in good standing and which requires of its students, as a prerequisite to graduation either, at least five years' course of instruction, the time elapsing between the beginning of the first year and the ending of the last, or fifth year in the medical college to be not less than fifty months, or, as a prerequisite to admission to such medical college, one year in a college of liberal arts approved by the Department of Registration and Education, and pursuing in such college of liberal arts a course of study approved by such department, and at least four years' course of instruction in the medical college, the time elapsing between the beginning of the first year in the medical college and the ending of the last or fourth, year in the medical college to be not less than forty (40) months, and, in either case, in addition thereto, a course of training of not less than twelve months in a hospital approved by the Department of Registration and Education;

2. For the practice of any system or method of treating human ailments without the use of drugs or medicines and without operative

surgery; that the applicant is a graduate of a professional school, college or institution teaching the system of treating human ailments for which the applicant desires to be licensed, which requires as a prerequisite to graduation four years' course of instruction, the time elapsing between the beginning of the first year and the ending of the last, or fourth year to be not less than forty months, and which is deemed to be reputable and in good standing;

3. For the practice of midwifery: That the applicant is a graduate of a college of midwifery in good standing.

The standards of professional education above defined shall be deemed to be minimum requirements. The Department of Registration and Education may, by rule, prescribe other and additional requirements for professional education.

§ 6. The Department of Registration and Education may, prior to July 1, 1922, in its discretion, admit to examination a student who has completed in a medical college, determined to be reputable and in good standing, the course of instruction required by the rules of the Department of Registration and Education, and who has passed the examination in such college but has not received a diploma, if the medical college of which he is a graduate requires as a prerequisite of graduation, at least five years course of instruction, the time elapsing between the beginning of the first year and the ending of the last, or fifth year, in the medical college to be not less than fifty months. If such student shall pass the examinations of the Department of Registration and Education it may issue to him a limited license authorizing him to practice medicine and surgery in a hospital approved by the Department of Registration and Education, and in no other place whatsoever in the State of Illinois, which limited license shall remain in effect for a period not exceeding eighteen months from the date thereof, and the Department of Registration and Education may then issue to the applicant the regular permanent license to practice medicine and surgery without further examination, on condition that the applicant present a diploma from a medical college reputable and in good standing in which he has completed a course previous to the issuance of the limited license hereinbefore mentioned, and otherwise complies with the requirement of the rules of the Department of Registration and Education.

The word (year) as used in sections 5 and 6 of this Act shall be held to mean a school year.

§ 7. Minimum standards of preliminary education deemed requisite to admission to a medical college, or to a professional school, college or institution teaching other systems of treating human ailments, deemed to be reputable and in good standing, are fixed as follows:

1. That the applicant for admission to such college, school or institution has satisfactorily completed an approved course of study in a high school or other equivalent school having a course of studies requiring an attendance through four school years and which is approved by the Department of Registration and Education.

2. That the applicant present a certificate of having passed a satisfactory written examination before the Superintendent of Public Instruction of this State, or like state officer of another state or country,

in the studies embraced in the curriculum of a high school approved by the Department of Registration and Education.

The standards of preliminary education above defined shall be deemed to be minimum requirements. The Department of Registration and Education may, by rule, prescribe additional standards of preliminary education.

The Superintendent of Public Instruction of this State shall collect in advance a fee of five dollars from each applicant for examination.

§ 8. An applicant for admission to a school of midwifery shall have a preliminary education equivalent to that of a graduate of a graded school in this State.

§ 9. All examinations provided for in this Act shall be conducted under rules and regulations prescribed by the Department of Registration and Education. Examinations shall be held not less frequently than four times each year, at times and places fixed by the Department of Registration and Education, of which the applicant shall be notified in writing. Examinations may be made wholly or in part in writing, and shall be of a character sufficiently strict to test the qualifications of the candidate as a practitioner.

§ 10. The examination of those who desire to practice medicine and surgery in all their branches shall embrace those general subjects and topics, a knowledge of which is commonly and generally required of candidates for a degree of doctor of medicine by reputable medical colleges in the United States.

§ 11. The examination of those who desire to practice systems or methods of treating human ailments without the use of drugs or medicines and without operative surgery shall be of the same character as that required of those who desire to practice medicine and surgery in all their branches, excepting therefrom materia medica, therapeutics, surgery, obstetrics, and theory and practice. If the applicant is a graduate of a professional school, college or institution in which the subject of obstetrics, as taught therein, is deemed equal to that taught in a medical college, reputable and in good standing, he may, on his request, be examined in the subject of midwifery. In the subjects of theory and practice the applicant shall be examined in accordance with the theory and practice taught by the professional school, college or institution of which the applicant is a graduate.

§ 12. The examination of those who desire to practice midwifery shall be of such a character as to determine the qualification of the applicant to practice midwifery.

§ 13. Each applicant who successfully passes an examination shall be entitled to a license. The following kinds of licenses shall be issued:

1. To practice medicine and surgery in all their branches to those who took an examination for that purpose.

2. To treat human ailments without the use of drugs or medicine and without operative surgery, to those who took an examination for that purpose, and to practice such treatment in accordance with the tenets of the school of practice designated by applicant under the provisions of section four (4) of this Act.

If the applicant successfully passed the examination in the subject of midwifery, the license shall also set forth his right to practice midwifery.

3. A limited license to practice medicine and surgery in a hospital approved by the Department of Registration and Education;

4. To practice midwifery.

§ 14. Any person licensed [licensed] under the provisions of this Act to practice in any school or system of treating human ailments without the use of drugs or medicines and without operative surgery, may be admitted to take an examination to practice medicine and surgery in all their branches upon proof of having successfully completed, in a medical college deemed to be reputable and in good standing, the course of study required for admission to an examination for a license to practice medicine and surgery in all their branches. In such case the applicant shall pass a satisfactory examination in materia medica, therapeutics, surgery and obstetrics only, and in no other subjects. In case the applicant holds a license to practice midwifery, he shall be credited therewith and shall be examined in obstetrics in that portion which was not included within the scope of his examination in midwifery. If the applicant successfully passes such examination he shall be issued a license to practice medicine and surgery in all their branches.

§ 15. The Department of Registration and Education may, in its discretion, issue a license, without examination, to a practitioner who has been licensed in any country, state, territory or province upon the following conditions:

1. That the applicant is of good moral character.

2. That if the applicant desires to practice medicine and surgery in all their branches.

(a) He is a graduate of a medical college in good standing.

(b) The requirements of medical registration in the country, state, territory or province in which he is licensed are deemed by the Department of Registration and Education to have been practically equivalent to the requirements of medical registration in force in this State at the date of such license.

3. That if the applicant desires to treat human ailments without the use of drugs or medicines and without operative surgery:

(a) He is a graduate of a professional school, college or institution in good standing.

(b) The requirements of registration to practice the treatment of human ailments without the use of drugs or medicines and without operative surgery are deemed by the Department of Registration and Education to be practically equivalent to the requirements of such registration as provided for under this Act.

4. That the country, state, territory or province in which the applicant was licensed shall accord a like privilege to physicians, or to those who hold licenses to treat human ailments without the use of drugs or medicines and without operative surgery, who hold licenses under the authority of the laws of this State.

The Department of Registration and Education may also, in its discretion, issue a license, without examination, to a physician who is a graduate of a medical college in good standing, and who has passed an examination for admission to the medical corps of the United States Army, the United States Navy, or the United States Public Health Service.

Applications from non-resident practitioners shall be filed with the Department of Registration and Education on blank form prepared and furnished by the department.

§ 16. Each person entitled to a license under this Act shall pay to the Department of Registration and Education the following fees:

1. For a license to practice medicine and surgery in all their branches or for a license to practice any other system of treating human ailments, five dollars;

2. For a limited license to practice medicine and surgery in a hospital approved by the Department of Registration and Education, five dollars, and no fee for issuing to the holder of such limited license a permanent license;

3. For a license to a practitioner admitted from a foreign state or country under the reciprocity provisions of this Act the same fees charged by the state endorsing the applicant for an Illinois physician applying for registration in such state, but in no case less than twenty-five dollars;

4. For a license to practice midwifery, three dollars.

§ 17. Every person holding a license or certificate issued under the provisions of this Act, or any prior Act of this State regulating the practice of medicine, shall have it recorded in the office of the county clerk of the county in which he resides or practices and the date of recording shall be endorsed thereon. Until such license or certificate is recorded the holder thereof shall not exercise any of the rights or privileges conferred therein. Any person practicing in another county shall record the license or certificate in like manner in the county in which he practices. The county clerk shall keep, in a book provided for the purpose, a complete list of the licenses or certificates recorded by him, with the date of the issue of the license or certificate. The register of the county clerk shall be open to public inspection during business hours.

§ 18. The Department of Registration and Education may revoke the license of any person holding a license issued in pursuance of and under any law of this State to practice medicine and surgery in all their branches, or to practice any other system or method of treating human ailments without the use of drugs or medicine and without operative surgery, or to practice midwifery, in any of the following cases:

1. A person who has been convicted of the practice of criminal abortion;

2. A person who has by false or fraudulent representation obtained or sought to obtain practice in his profession;

3. A person who is an habitual drunkard, or habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect;

4. A person who has by false or fraudulent representation of his profession obtained or sought to obtain money or any other thing of value.

5. A person who has advertised under a name other than his own;

6. A person who shall advertise or profess publicly to treat human ailments under a system or school of treatment or practice other than that for which he holds a license;

7. A person who has been committed, by the judgment of a court of competent jurisdiction, to a hospital for the insane;

8. A person who is guilty of any wilful violation of the rules and regulations of the Department of Registration and Education governing examinations, or who is guilty of any fraud or deceit by which he was admitted to practice;

9. A person who has been guilty of any other unprofessional or dishonorable conduct.

Paragraph 6 of this section shall not be construed to affect any person licensed by the State Board of Health, on or before July 1, 1917, to treat human ailments without the use of drugs or medicines internally or externally and without the use of operative surgery, who is legitimately engaged in the practice of his profession, unless he shall treat, or profess to treat human ailments with the use of drugs or medicines, internally or externally or with operative surgery.

For any of the above reasons the Department of Registration and Education may refuse to issue a license.

No license or certificate shall be revoked or refused until the holder thereof shall have been given a hearing before the Department of Registration and Education.

§ 19. The Department of Registration and Education shall have power, and it shall be its duty:

1. To make rules to establish a uniform and reasonable standard of educational requirements to be observed by medical colleges, by professional schools, colleges and institutions teaching other systems or sciences of treating human ailments without the use of drugs or medicines and without operative surgery, and by schools of midwifery, and to determine the reputability and good standing of such schools, colleges or institutions by reference to their compliance with such rules;

2. To require satisfactory proof that medical colleges and professional schools, colleges or institutions teaching other systems of treating human ailments, and schools of midwifery, which are deemed to be reputable and in good standing, enforce the standard of preliminary education deemed by this Act requisite to admission to such medical colleges, or to professional schools, colleges or institutions teaching other systems of treating human ailments, or to schools of midwifery;

3. To determine the standing of literary or scientific colleges, high schools, seminaries, normal schools, preparatory schools, graded schools and the like, whenever required by this Act.

§ 20. Any person shall be regarded as practicing medicine or treating human ailments, within the meaning of this Act, who shall treat or profess to treat, operate on or prescribe for any physical ailment or

any physical injury to or deformity of another. This section shall not be construed to affect the following cases:

1. The administration of domestic or family remedies in cases of emergency;

2. The practice of dentistry and dental surgery by any legally licensed dentist exclusively engaged in practicing dentistry and dental surgery;

3. The practice of pharmacy by any legally registered pharmacist, registered assistant pharmacist or registered local pharmacist exclusively engaged in practicing pharmacy;

4. The practice of medicine and surgery by any surgeon of the United States Army, navy or public health service in the discharge of his official duties.

5. The treatment of the sick or suffering by mental or spiritual means without the use of any drug or material remedy.

6. The practice of optometry by any legally licensed optometrist exclusively engaged in practicing optometry.

§ 21. Nothing in this Act shall be construed to prohibit those persons licensed to practice any system or method of treating human ailments, the right to use such antiseptic [antiseptic] precautions as are prescribed by the Department of Public Health of the State of Illinois for the prevention of the spread of communicable diseases, nor the right to use antidotes in cases of emergency involving acute poisoning.

§ 22. Any person who, not being then licensed to practice medicine and surgery in all their branches, shall practice medicine and surgery; or who, not being then licensed to treat human ailments without the use of drugs or medicines and without operative surgery, shall treat human ailments without the use of drugs or medicines and without operative surgery; or who, being licensed to treat human ailments without the use of drugs or medicines and without operative surgery, shall treat human ailments with drugs or medicines or with operative surgery; or who, not being then licensed to practice midwifery, shall practice midwifery; or who shall buy, sell or fraudulently obtain any medical or professional diploma, license, or registration; or who shall fraudulently aid or abet such fraudulent buying, selling or obtaining; or who shall practice the treatment of human ailments, or midwifery under cover of any license fraudulently or illegally obtained; or who, being licensed to treat human ailments without the use of drugs or medicines and without operative surgery in a named school or system of practice, shall, in connection with his name, advertise or profess to treat human ailments under a system or school of treatment or practice other than that for which he holds a license, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or confined in the county jail not more than one year, or punished by both such fine and imprisonment in the discretion of the court.

§ 23. Any person filing or attempting to file as his own the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of the crime of forgery and punished accordingly.

§ 24. Any person who shall wilfully and knowingly make any false oath or affidavit required by the provisions of this Act shall be guilty of perjury and punished accordingly.

§ 25. Any person, other than one licensed to practice medicine and surgery in all their branches, calling or advertising himself as a physician or doctor, without affixing thereto a prefix or suffix indicating the school or system of practice in which he is licensed to practice, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

§ 26. Any person licensed to practice midwifery who shall use any drug or medicine, except the prophylactic for ophthalmia neonatorum prescribed by the Department of Public Health and except antiseptics locally, or who shall attend other than cases of normal labor, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

§ 27. All certificates or licenses heretofore issued by the State Board of Health authorizing or permitting the holder thereof to practice medicine and surgery in all their branches, or to treat human ailments without the use of medicine, internally or externally, and without operative surgery, or to practice midwifery, and in force on the first day of July A. D. 1917, shall continue valid and in full force and effect unless revoked by the Department of Registration and Education under the provisions of this Act.

§28. Any person heretofore licensed by the State Board of Health to treat human ailments without the use of drugs or medicines and without operative surgery and who is a graduate of a professional school, college or institution which is deemed by the Department of Registration and Education to have been reputable and in good standing at the time the applicant graduated therefrom, may, within one year from the time this Act takes effect, and upon the payment of a transfer fee of five dollars and upon the surrender of his original license or certificate, apply for and obtain a new license or certificate authorizing him to treat human ailments without the use of drugs or medicines and without operative surgery, and to practice in the school or system of treating human ailments taught in the professional school, college or institution of which he is a graduate.

The application for the license or a certificate provided in this section shall be verified by the oath of the applicant and shall be made on forms provided and furnished by the Department of Registration and Education.

§ 29. The following Act is hereby repealed: "An Act to regulate the practice of medicine in the State of Illinois and to repeal an Act therein named," approved April 24, 1899, in force July 1, 1899.

APPROVED June 25, 1917.

PRACTICE OF CHIROPODY.

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| <p>§ 1. No person shall practice chiropody without license from State.</p> <p>§ 2. Chiropody defined.</p> <p>§ 3. Notice by publication of provisions of Act—registration without examination—fee.</p> <p>§ 4. Who may become registered chiroprodist.</p> <p>§ 5. Must display certificate of registration in conspicuous place — penalty.</p> <p>§ 6. Examination — what subjects embraced—minimum requirements.</p> <p>§ 7. Obtaining registration unlawfully —penalty — practicing without certificate—penalty.</p> <p>§ 8. What deemed evidence.</p> <p>§ 9. Revocation of certificate for violation of Act.</p> | <p>§ 10. Refusal to issue, or revocation of certificate for unprofessional conduct.</p> <p>§ 11. Period of suspension.</p> <p>§ 12. Renewal registration fee—penalty for neglect to renew.</p> <p>§ 13. Department of Registration and Education to investigate and report violations.</p> <p>§ 14. Certificate to be recorded with county clerk.</p> <p>§ 15. "Department" defined.</p> <p>§ 16. To whom Act not to apply.</p> <p>§ 17. Suits—review of decision of Director of Registration and Education by Circuit Court.</p> |
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(SENATE BILL No. 135. APPROVED APRIL 26, 1917.)

AN ACT to regulate the practice of chiropody in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* On and after October 1, 1917, no person shall practice chiropody, as hereinafter defined, unless duly licensed so to do by the Department of Registration and Education, after an examination conducted by persons designated by the Director of Registration and Education, under such rules and regulations as shall be prescribed by the Department of Registration and Education.

§ 2. The definition of the word "chiropody" shall, for the purposes of this Act, be held to be the local, medical, mechanical or surgical treatment of the ailments of the human foot, except the correction of deformities or injuries through the use of the knife, such as amputation of the foot, or toes, or the treatment of injuries of the human foot, or the use of anaesthetics other than local, or the use of drugs or medicines other than local antiseptics.

§ 3. Within thirty days after this Act takes effect the said Department of Registration and Education shall notify all persons engaged in the practice of chiropody in this State, of the provisions of this Act, by publication, of the gist thereof, in one or more newspapers in each county in the State. Every practitioner of chiropody twenty-one years of age or over and of good moral character, who shall make application for registration before the first day of October 1917, and who can prove to the satisfaction of the department that he has been engaged in the practice of chiropody in this State for a period of one or more years next prior to the passage of this Act, shall, upon the payment of a fee of twenty-five (\$25.00) dollars to the department, be registered without examination, and shall receive in testimony thereof a certificate signed by the Director of Registration and Education: *Provided*, that in case of failure or neglect of any such practitioner, to register before the first day of October 1917, as herein provided, such

practitioner shall be deemed to have waived his right of registration under this section, and in order to be registered shall comply with the requirements for registration by examination.

Application for registration shall be made upon blanks furnished by the Department of Registration and Education and shall be signed and sworn to by the applicant.

All fees received by the department shall, once a month, be paid into the treasury of the State.

§ 4. Any person not entitled to register as aforesaid, who shall furnish the department with satisfactory proof that he or she is twenty-one years of age or over and of good moral character, and that he or she has received at least one year's high school training or its equivalent, and has received a diploma or certificate of graduation from a recognized school of chiropody or equivalent institution having a minimum requirement of one year's course of at least eight months shall, upon payment of a fee of fifteen (15.00) dollars, be examined as provided herein, and if found qualified shall be registered and shall receive in testimony thereof a certificate signed by the Director of Registration and Education.

§ 5. Every person to whom a certificate of registration is granted under this Act, shall display the same in a conspicuous place in his principal office, place of business or employment. Any person violating the provisions of this section shall, upon conviction thereof, be punishable by a fine of fifty (\$50.00) dollars.

§ 6. The examination shall be in the English language and shall be written, oral or clinical, or a combination of two or more of the said methods, as the department may determine. The examination shall embrace the subjects of anatomy, physiology, chemistry, bacteriology, histology, pathology, diagnosis and treatment, *materia medica* and therapeutics, as these subjects relate to antiseptics and anaesthetics, and clinical chiropody, but said examinations shall be so limited in their scope as to cover only the minimum requirements for chiropody education, as herein provided, and shall not be construed to require of the applicant a medical or surgical education other than deemed necessary for the practice of chiropody. The minimum requirements for registration of applicants under sections four (4) and six (6) of this Act shall be based on a general average of seventy-five per cent in the subjects involved, and not less than sixty per cent in any one subject.

§ 7. Any person who shall unlawfully obtain registration under this Act whether by false or untrue statements contained in his or her application to the department, or by presenting to the department a fraudulent diploma, certificate or license, or one fraudulently obtained, shall, be punished by a fine of not less than one hundred (\$100.00) dollars or more than two hundred (\$200.00) dollars, or by imprisonment for not less than three (3) months or more than one (1) year, or by both such fine and imprisonment, and any person not being lawfully authorized to practice chiropody in this State whether so illegally registered or not, who shall, advertise or hold himself or herself out as a chiropodist shall, upon conviction of any such offense, be punished by a fine of not less than one hundred (\$100.00) dollars nor more

than two hundred (\$200.00) dollars, or by imprisonment in the county jail for not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment in the discretion of the court.

It shall also be unlawful on and after three months from the date that this Act takes effect for any person to practice or to profess to practice chiropody, as defined in section two (2) of this Act, unless he or she shall first have obtained a certificate from the Director of Registration and Education, as hereinbefore provided. Any person who shall so, practice or profess to practice chiropody shall, upon conviction thereof, be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars for each such offense.

§ 8. It shall be deemed *prima facie* evidence of the practice of chiropody or of holding one's self out as a practitioner of chiropody within the meaning of this Act, for any person to treat in any manner the human hand or foot by medical, mechanical or surgical methods, or to use the title chiropodist or any words or letters which designate or tend to designate to the public that the person so treating or holding himself or herself is a chiropodist.

§ 9. The Director of Registration and Education may, after a hearing, revoke any certificate issued by him, and cancel the registration of any chiropodist who has been convicted of the violation of any of the provisions of this Act.

The Director of Registration and Education may also after a hearing, revoke the certificate and cancel the registration of any person when the court records of any state or territory within the United States, or the Federal court records, or the record of any court of jurisdiction in any foreign country shows that such person has been found guilty of a criminal offense. Said director may also after a hearing, revoke the certificate and cancel the registration of any person whose registration was granted upon a mistake of material facts. The Director of Registration and Education may subsequently but not earlier than one (1) year thereafter, re-issue any certificate and register anew any chiropodist whose certificate shall have been so revoked and whose registration was cancelled, except as hereinafter provided.

§ 10. The Director of Registration and Education may, after a hearing, refuse to issue a certificate to any person, or may revoke the certificate and cancel the registration of any person registered under the provisions of this Act, who, after investigation, shall be found to be guilty of grossly unprofessional and dishonest conduct.

The words "unprofessional" and "dishonest conduct" shall be held to mean, within the provisions of this Act:

- (a) The wilful betrayal of a professional secret.
- (b) Knowingly having professional connection with or knowingly lending the use of one's name to an unregistered chiropodist, or having professional connection with any one who has been convicted in court of any offense whatsoever.
- (c) Being guilty of offenses involving moral turpitude, habitual intemperance or being habitually addicted to the use of morphine,

opium, cocaine [cocaine] or other drugs having a similar effect, or of using, selling or giving away any substance or compound containing alcohol or drugs for other than legal and legitimate purposes.

§ 11. The Director of Registration and Education may revoke or suspend for a definite period, but not less than six months, the certificate of registration of any persons found guilty under the provisions of section ten (10) of this Act.

§ 12. Every registered chiropodist who desires to continue the practice of chiropody shall, annually, on such date as the Director of Registration and Education, may prescribe, pay to the Department of Registration and Education, a renewal registration fee to be fixed by the Director of Registration and Education, but which shall in no case exceed two (\$2.00) dollars per annum, for which he shall receive a renewal of his certificate. In case of neglect to pay the renewal registration fee herein specified within the time prescribed by the Director of Registration and Education, said Director may revoke such certificate, and the holder thereof may be reinstated only by complying with the conditions specified in this Act for the registration of unregistered persons, but no certificate or permit shall be revoked without giving sixty (60) days' notice to the delinquent, who, within such period, shall have the right of renewal of such certificate on payment of the renewal fee, together with such penalty, not exceeding fifteen (\$15.00) dollars, as the Director of Registration and Education shall determine: *Provided*, that retirement from practice for a period not to exceed five years, shall not deprive the holder of said certificate of the right to renew his certificate, on the payment of all accrued fees. Every renewal certificate shall expire each year on the 30th day of June following the issuance of the same.

§ 13. The Department of Registration and Education shall investigate all complaints and violations of sections six (6), seven (7) and ten (10) of this Act, and shall report all violations of section six (6) and seven (7) to the proper prosecuting officers.

§ 14. Every person to whom a certificate of registration has been issued under this Act shall, within one month from the date of receipt of the certificate of registration submit the same to the county (city, town or village) clerk, of the county (city, town or village) in which said person has his legal residence or usual place of business, and shall make oath that he is the person designated therein. Upon payment of a fee of one (1.00) dollar, it shall be the duty of the county (city, town or village) clerk to whom such certificate is presented, to register the name and address of the person designated in the certificate, together with the date and number inscribed thereon, in a book to be kept by such clerks for that purpose, which record shall be open to the inspection of the public, and it shall be the further duty of the county (city or town or village) clerk to whom said certificate is presented, to file with the Department of Registration and Education, within one week after such registration, a duplicate copy of the record so made.

§ 15. The word "Department" wherever used in this Act shall be understood to mean the Department of Registration and Education.

§ 16. The provisions of this Act shall not apply to the commissioned surgical officers of the United States Army, Navy or Marine Hospital service when in the actual performance of their official duties, or to any physician duly registered under the laws of this State, or to legally registered chiropodists of another state taking charge of the practice of a legally registered chiropodist of this State temporarily during the latter's absence therefrom, by permission of the Director of Registration and Education.

§ 17. The Circuit Court of the county where any of the parties defendant may be found shall, by writ of *certiorari*, to the Department of Registration and Education, have power to review any decision or order refusing or revoking a permit under the provisions of this Act. Such writ shall be issued by the clerk of such court upon *praecipe*. Service may be had upon the Director of Registration and Education, and service upon other parties, if any in interest, shall be by *scire facias*; or service may be had upon the Director of Registration and Education and other parties in interest, by mailing notice of the commencement of the proceedings and the return day of the writ, to the office of the Department of Registration and Education, and the last known place of residence of the other parties, if any in interest, at least ten days before the return day of said writ, or any party in interest may commence a suit in chancery in the Circuit Court of the county where any of the parties defendant may be found to review the decision of the Director of Registration and Education. Such suit of writ of *certiorari* or in chancery shall be commenced within ten days after the receipt of notice of the decision of the Director of Registration and Education.

It shall be competent for the Supreme Court to review any final decision of the Circuit Court under this Act, upon *certiorari*, in accordance with the provisions of section 121 of an Act entitled: "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, in force July 1, 1907, as subsequently amended.

APPROVED April 26, 1917.

PRACTICE OF PHARMACY.

§ 1. Amends section 4, and adds section 4a, Act of 1901.

§ 4a. Qualification of pharmacists of other states.

§ 4. Who may register under Act—fee.

(SENATE BILL NO. 212. APPROVED JUNE 25, 1917.)

AN ACT to amend section 4 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named," approved May 11, 1901, in force July 1, 1901, and to add thereto a new section to be known as section 4a.

SECTION 1. Be it enacted by the People of the State of Illinois represented in the General Assembly: That section 4 of an Act entitled, "An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named," approved May 11, 1901, in force July 1, 1901, be amended and

that said Act be further amended by adding thereto a new section to be known as section 4a, which said section as amended and said additional section shall read as follows:

§ 4. Any person shall be entitled to registration as a registered pharmacist who is of the age of twenty-one years or over, of good moral character and temperate habits, a graduate from a college of pharmacy, school of pharmacy, or department of pharmacy of a university which is recognized by the Department of Registration and Education, and who shall furnish proofs of four years' experience and who shall have passed a satisfactory examination before the Department of Registration and Education. Actual time of attendance at a recognized college of pharmacy, school of pharmacy, or department of pharmacy of a university, but not to exceed two years, shall be accredited upon the required experience of four years. The remainder of the experience required must have been in compounding and dispensing drugs, medicines and poisons under the supervision of a registered pharmacist, in a drug store or pharmacy where the prescriptions of medical practitioners are compounded.

Provided, and [an] applicant for registration as a registered pharmacist who was registered by the board of pharmacy as an apprentice, assistant pharmacist or local registered pharmacist prior to July 1, 1917, shall be exempt from the requirements of graduation from a recognized college of pharmacy, school of pharmacy, or department of pharmacy of a university, but actual time of attendance at such colleges, schools, or departments, not to exceed two years, shall be accredited upon the required experience of four years.

Provided further, that a physician who holds a license issued by the State Board of Health or by the Department of Registration and Education shall not be required to furnish any proofs of drug store experience or proofs of having graduated from a recognized college of pharmacy, school of pharmacy, or department of pharmacy of a university.

The Department of Registration and Education shall make rules to establish a uniform and reasonable standard of educational requirements to be observed by colleges of pharmacy, schools of pharmacy or departments of pharmacy of universities, and may determine the reputability of such colleges, schools and departments of pharmacy by reference to their compliance with such rules.

Every applicant for registration as a registered pharmacist shall pay to the Department of Registration and Education the sum of \$10.00 at the time of filing an application. The payment of said \$10.00 shall entitle the applicant to take a second examination in case he failed in the first, but no more; *provided*, said second examination is taken within six months after the first; and upon the payment of an additional \$5.00 in case the applicant passes a successful examination, the Department of Registration and Education shall issue to him a certificate as a registered pharmacist.

§ 4a. The Department of Registration and Education may, in its discretion, grant certificates of registration as registered pharmacists to such persons as shall furnish with their applications satisfactory proofs that they have been registered by examination in some other state requiring a degree of competency equal to that required of applicants in this State: *Provided*, that an applicant shall have filed proofs of experience in the state in which he is registered by examination which would have entitled him at that time, to take an examination for registered pharmacist in this State; *and, provided, further*, that such other states shall accord like privileges to applicants who hold registered pharmacist certificates issued by examination in this State.

APPROVED June 25, 1917.

PRACTICE OF PHARMACY.

§ 1. Amends section 14a, Act of 1901.

§ 14a. Includes the penalty for counterfeit of the name of a licensed physician, dentist, etc.

(HOUSE BILL NO. 300. APPROVED JUNE 25, 1917.)

AN ACT to amend section 14a of an Act entitled, "*An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named,*" approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 13, 1903, in force July 1, 1903, as amended by Act approved June 3, 1907, in force July 1, 1907, as amended by Act approved and in force January 17, 1908, as amended by Act approved June 10, 1911, in force July 1, 1911, as amended by Act approved June 23, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 14a of an Act entitled, "*An Act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain Acts therein named,*" approved May 11, 1901, in force July 1, 1901, as amended by an Act approved May 13, 1903, in force July 1, 1903, as amended by Act approved June 3, 1907, in force July 1, 1907 as amended by Act approved and in force January 17, 1908, as amended by Act approved June 10, 1911, in force July 1, 1911, as amended by Act approved June 23, 1915, in force July 1, 1915, be amended to read as follows:

§ 14a. It shall be unlawful for any person, firm or corporation to sell, barter, exchange, distribute or give away any opium or coca leaves, or any compound, manufacture, salt, derivative or preparation thereof, except in pursuance of the written prescription of a licensed physician, licensed dentist or licensed veterinarian, who is registered with the United States collector of internal revenue in the district in which he resides, in accordance with the provisions of an Act of Congress entitled, "*An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes,*" approved December 17, 1914: said prescription shall

contain the name and address of the person for whom prescribed (or if prescribed by a veterinarian, shall state the kind of animal for which prescribed and the name of the owner thereof), shall be dated as of the day it is signed, and shall also be dated as of the day it is filled, shall not be altered or changed by any person except the physician, dentist or veterinarian by whom it is signed, and shall be retained on file by the person, firm or corporation by whom the same is filled for a period of not less than two years and it shall be filled but once, and of it no copy shall be made by any person except for the purpose of record by the physician, dentist or veterinarian by whom it is signed, or by the Department of Registration and Education and officers of the law, and it shall at all times be open to the inspection of the prescriber, the Department of Registration and Education and all officers of the law.

Nothing contained in this section shall apply:

(a) To the dispensing or distribution of any of the substances mentioned in this section to a patient by a licensed physician, licensed dentist, or licensed veterinarian, who is registered under the Act of Congress herein mentioned, in the course of his professional practice only: *Provided*, that such physician, dentist or veterinarian shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such substances are dispensed or distributed (if a veterinarian, the kind of animal for which such substances are dispensed or distributed and the name of the owner thereof), except such as may be dispensed or distributed to a patient upon whom such physician, dentist or veterinarian shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such substances, subject to inspection by the Department of Registration and Education and all officers of the law. The making of any record required by any other law of this State, or of the United States, which record shall set forth the facts above required to be stated shall be deemed sufficient compliance with the provisions of this section.

(b) To sales made by a manufacturer of any of the drugs mentioned, or a wholesale dealer in drugs, or a retail druggist, to other such manufacturers, wholesale dealers in drugs, or retail druggists; or to sales made to manufacturers of medicinal preparations for use in such preparations only, or to sales made to hospitals, colleges, scientific or public institutions, or to licensed physicians, licensed dentists or licensed veterinarians, in accordance with the provisions of the Act of Congress herein mentioned.

(c) To the sale, distribution, giving away or dispensing by persons registered under the provisions of the Act of Congress herein mentioned, of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or if a solid or semi-solid preparation in one avoirdupois ounce; or to liniments, ointments or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain co-

caine or any of its salts, or alpha or beta eucaine, or any of their salts: *Provided*, that all such preparations shall contain other active drugs in sufficient proportions to confer upon them other and additional medicinal properties than those possessed by the unmixed drugs, salts or alkaloids specified in this section: *And, provided, further*, that all such drugs, preparations or mixtures are sold, dispensed or distributed for use as medicines, and not for the purpose of evading the intentions of this section.

(d) To the sale of decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine, or to constituents or derivatives of opium or coca leaves or to synthetic substitutes therefor, which do not possess narcotic or habit-forming properties.

It shall be unlawful for any person to falsely assume or use the title licensed physician, licensed dentist or licensed veterinarian or to falsely assume or use any other professional title or degree or abbreviation thereof, or to counterfeit or forge the name of a licensed physician, licensed dentist or licensed veterinarian to a prescription, or order, or to falsely represent himself to be a manufacturer of drugs and medicines, wholesale dealer in drugs or retail druggist, for the purpose of obtaining any of the substances specified in this section.

APPROVED June 25, 1917.

MINES AND MINERS.

FIRE FIGHTING EQUIPMENT IN COAL MINES.

§ 1. Amends section 2 and 6, Act of 1910.

§ 6. Coal mines developed after passage of this Act.

§ 2. Water supply — pipe and hose connection — automatic sprinklers — fire extinguishers.

(HOUSE BILL No. 1033. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, '*An Act to require fire-fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines*,' approved and in force March 8, 1910, as subsequently amended, by amending sections two (2) and six (6) thereof."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to require fire-fighting equipment and other means for the prevention and controlling of fires and the prevention of loss of life from fires in coal mines," approved and in force March 8, 1910, as subsequently amended, be and the same is hereby amended, by amending sections two (2) and six (6) thereof to read as follows:

§ 2. (a) There shall be provided a supply of water for fighting fire underground which shall have a head from a standing body in a pipe, tank or pond.

(b) Such water supply shall be conducted into the mine in an iron or steel pipe or pipes not less than two inches in diameter, which shall

have not less than two hose connections at the bottom of the hoisting shaft, and two hose connections at the bottom of the air and escapement shaft designated as such under the law, and two hose connections in each stable which is located less than five hundred (500) feet from the bottom of either of said shafts; and there shall be iron or steel pipes not less than two inches in diameter in the entries and passageways leading from the bottom of each of said shafts to such extent and such position that with one (1) fifty-foot length of hose the water may be carried into all such entries and passageways within three hundred (300) feet from the bottom of each of said shafts and into the corresponding area in slope and drift mines, such area to be designated in this Act as the fire protected area.

(c) *Provided*, that in mines having one hundred and twenty-five (125) feet or less head at the bottom of the incoming supply pipe, the incoming pipes and the pipes having hose connections shall be not less than three (3) inches in diameter. The pipes in the mine shall have hose connections not more than fifty (50) feet apart beginning at the bottom of the incoming supply pipe or pipes.

(d) There shall be kept constantly on hand at the bottom of each shaft where hose connections are required, in condition for immediate use, not less than two (2) fifty (50) foot lengths of one and one-half ($1\frac{1}{2}$) inch inside diameter linen hose or rubber-lined cotton hose, which shall have been tested to a pressure of two hundred (200) pounds to the square inch; all of such hose and connections therefor on the supply pipes shall have American standard iron pipe threads. The nozzles on such hose shall be not less than three-eighths ($\frac{3}{8}$) nor more than five-eighths ($\frac{5}{8}$) inch in diameter.

(e) Where any part of any passage or other excavation within one hundred and fifty (150) feet of the bottom of the hoisting shaft or the air and escapement shaft designated as such under the law and in the corresponding area in slope or drift mines, is timbered, with cribbing or more than one layer of lagging not including caps or wedges, above the cross bars, there shall be two lines of automatic sprinklers on the under side of such timbering, attached to not less than one and one-half ($1\frac{1}{2}$) inch pipes connected with the fire-fighting water supply, and such sprinklers shall not be more than ten (10) feet apart.

(f) In cribbing or lagging as last aforesaid, which is more than three (3) feet in vertical thickness, there shall be also, as near the top thereof as is practicable, automatic sprinklers connected with the water supply as last aforesaid and there shall be one such sprinkler for each eight (8) feet square or horizontal area of such cribbing or lagging.

(g) In every underground stable, located within one thousand (1,000) feet of the hoisting shaft or the air and escapement shaft designated as such under the law, there shall not be less than one (1) automatic water sprinkler for each area eight (8) feet square in said stable; such automatic sprinklers shall be connected with iron or steel pipes not less than one and one-half ($1\frac{1}{2}$) inches in diameter along the roof or ceiling in the stable, which shall be connected with the fire-fighting water supply.

(h) All automatic sprinklers shall be of the fusible plug type and shall not require a temperature of more than one hundred and sixty-five (165) degrees Fahrenheit to release the water.

(i) In all underground stables other than those heretofore in this Act referred to, there shall be kept barrels full of water and two metal pails with each barrel. Such barrels shall be not more than fifty (50) feet apart, and there shall not be less than two (2) barrels full of water and two (2) metal pails with each barrel in each entry or passageway into which such stable opens and not more than fifty (50) feet from the opening of the stable.

(j) There shall also be one (1) not less than two and one-half ($2\frac{1}{2}$) gallons chemical fire extinguishers, or its equivalent, as approved by the Department of Mines and Minerals, and two (2) not less than six (6) gallon hand-pump buckets in each stable and in each entry or passageway into which such stable opens not more than fifty (50) feet from the opening of such stable: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required. Such chemical fire extinguishers and hand-pump buckets shall be kept filled and ready for use.

(k) *Provided, however*, that in coal mines in which less than ten (10) men are employed, in which there are no stables, in lieu of said water supply with pipes and hose, there may be substituted the following: There shall be kept within the fire protected area in each such mine, barrels full of water not more than fifty (50) feet apart, and with each barrel there shall be two metal buckets; and there shall also be kept within said area not less than six (6) hand-pump buckets of not less than six (6) gallons capacity, and said buckets shall be kept filled and ready for use.

(l) A barrel within the meaning of this Act shall be any substantial vessel holding not less than fifty (50) gallons.

(m) All mines shall have at least one, not less, than two and one-half ($2\frac{1}{2}$) gallon chemical fire extinguisher, or its equivalent as approved by the Department of Mines and Minerals, and one not less than [six] (6) gallon hand-pump bucket, including those hereinbefore in this Act required, for each fifty (50) employees in the mine with a minimum of six (6) extinguishers and six (6) pump buckets, kept at convenient places designated by the mine manager throughout the mine, and three (3) fire extinguishers of two and one-half ($2\frac{1}{2}$) gallons each, or its equivalent as approved by the Department of Mines and Minerals in each building located within one hundred (100) feet of any shaft, drift or slope, and such extinguishers shall be recharged once every six months and a record made of the date of recharging in the mine examiner's report book: *Provided*, this does not apply to buildings constructed of fireproof material. Such extinguishers and buckets shall be kept filled and ready for use: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required.

§ 6. The following requirements also shall apply to all coal mines developed within the State of Illinois after the passage of this Act:

"*Provided*, that paragraphs (a) and (b) shall not apply to mines where ten (10) men or less are employed."

(a) The hoisting shaft and the air and escapement shaft designated as such under the law in shaft mines and the air and escapement shaft nearest the main opening in slope or draft mines, shall be of fireproof construction, except that cage guides may be wood. All drifts and slopes that are opened after the passage of this Act must be of fireproof construction for a distance of three hundred (300) feet from the entrance: *Provided*, that this section shall not apply to shafts in actual course of construction at the time this Act takes effect.

(b) The roof and walls of the passageways leading from the bottom of the the hoisting shaft and the air and escapement shaft designated as such under the law, within a distance of three hundred (300) feet from the bottom of either of said shafts, shall be of fireproof construction, except that the coal rib or pillar may be used as a wall in such passageways.

(c) All underground stables and the openings therein shall be of fireproof construction.

Stables in mines opened after the passage of this Act shall not be located between the main and escapement shaft, or in direct line on the ventilating current or on passageways leading to the escapement shaft or shafts.

(d) At mines constructed in conformity with the requirements of this section of this Act, the fire-fighting equipment described in section 2, and the fire drill described in section 5 of this Act shall not be required, except that there shall be kept at convenient places designated by the mine manager, throughout each mine, one not less than two and one-half (2½) gallons chemical fire extinguisher, or its equivalent as approved by the Department of Mines and Minerals, and one not less than six (6) gallon hand-pump bucket, for each fifty (50) employees in the mine with a minimum of six (6) extinguishers and six (6) pump buckets, and such extinguishers and buckets shall be kept filled and ready for use: *Provided*, that in mines employing ten (10) men or less underground, the chemical fire extinguishers shall not be required.

APPROVED June 27, 1917.

MINING INVESTIGATION COMMISSION.

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| <p>§ 1. Commission of mines to be appointed by Governor—to investigate conditions with reference to safety of lives and property and conservation of coal.</p> <p>§ 2. Powers of commission in taking testimony — to adopt seal and establish rules.</p> <p>§ 3. Organization, meetings, and records.</p> | <p>§ 4. Commission to propose revision of coal mining laws—majority and minority reports—termination of commission.</p> <p>§ 5. Compensation and expenses of members.</p> <p>§ 6. Appropriation of \$7,000.00 for expenses—testimony to be reported and published in full.</p> |
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(HOUSE BILL NO. 1032. APPROVED JUNE 27, 1917.)

"AN ACT to establish a Mining Investigation Commission of the State of Illinois," and to make appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a commission be established

to be known as the Mining Investigation Commission of the State of Illinois, consisting of three coal mine owners and three coal miners appointed by the Governor, together with three qualified men, no one of whom shall be identified or affiliated with the interests of either of the mine owners or coal miners or dependent upon the patronage or good will of either, nor in political life who shall be appointed by the Governor.

Each member of the said commission shall have equal authority, power and voting strength in considering and acting upon any matters which may be brought to the attention of the commission and on which the commission may act and the said commission shall have power and authority to investigate the methods and conditions of mining coal in the State of Illinois with special reference to the safety of human lives and property and the conservation of coal deposits.

§ 2. In making an investigation as contemplated in this Act, said commissioners shall have the power to issue subpoenas for the attendance of witnesses, which shall be under the seal of the commission and signed by the chairman or secretary of said commission.

In case any person shall wilfully fail or refuse to obey such subpoena, it shall be the duty of the Circuit Court of any county, upon application of the said commissioners, to issue an attachment for such witness, and compel such witness to attend before the commissioners, and give his testimony upon such matters as shall be lawfully required by such commissioners; and the said court shall have the power to punish for contempt, as in other cases of refusal to obey the process and order of such court.

The fees of witnesses shall be the same as in the courts of record and shall be paid out of the appropriation hereinafter made.

And upon order duly entered of record by the said commission any one or more members of the said commission shall be empowered to take testimony touching the matters within the jurisdiction of the said commission and report the same to the said commission.

Said commission shall have power and are authorized to adopt a seal and to make such rules not inconsistent with or contrary to law for the government of proceedings before it, as it may deem proper and shall have the same power to enforce such rules and to preserve order and decorum in its presence as is vested by the common law or statute of this State in any court of general jurisdiction.

§ 3. Said commission shall meet at the State capitol building in Springfield on the second Tuesday after notice of their appointment and shall immediately elect a chairman and secretary from among their number, one of whom shall be a coal mine owner and the other a coal miner. Said commission shall cause a record to be kept of all its proceedings.

Five members of the said commission shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn the meeting of the commission from time to time.

Meetings of the said commission other than called meetings, as provided for herein, may be held at such times and places within the State of Illinois, as may be fixed by the said commission.

A meeting of the said commission shall be held upon the written request of any three members of the said commission signed by them and delivered to the secretary, who shall, upon receipt of such request, notify each member of said commission by mail of such meeting so to be held, and the time and place thereof. And no such meeting shall be held less than five days after the mailing of notice of the said meeting to the members of said commission by the secretary.

Such called meeting shall be held either in Springfield or Chicago.

§ 4. Said commission shall report to the Governor and to the General Assembly at its next regular session, submitting, so far as they have unanimously agreed, a proposed provision of coal mining laws of the State, together with such other recommendations as to the commission shall seem fit and proper relating to coal mining in the State of Illinois.

And where there is not unanimous agreement upon any recommendation there shall be submitted in like manner separate reports embodying the recommendations of any one or more members of the said commission, which said reports shall each set forth in detail the recommendation of the commissioner or commissioners signing said report and shall embody his or their respective reasons for such recommendation and his or their objection to the report of other members of the commission. The duties and functions of said commission shall cease and the terms of office of the respective commissions shall terminate upon the adjournment of the Fifty-first General Assembly.

§ 5. The members of said commission who are coal mine owners and coal miners, as aforesaid, shall receive no compensation for their services. The remaining three members of the commission shall receive as compensation for their services the sum of \$10.00 per day for each day actually employed by them as such commissioners. All members of the said commission shall be reimbursed for their actual expenses incurred in and about the actual work of said commission.

Said commission may appoint a stenographer or clerk and such other employees as are necessary and shall fix their compensation and may incur such other expenses as are properly incidental to the work of the commission.

§ 6. The sum of seven thousand dollars (\$7,000.00), or as much thereof as may be necessary, is hereby appropriated for the postage, stationery, clerical and expert services, and incidental traveling expenses of the commission, and the per diem of members as herein authorized, and the Auditor of Public Accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges or disbursements authorized by this Act, on order of this commission, signed by its chairman, attested by its secretary, and approved by the Governor.

The Department of Public Works and Buildings is hereby authorized and directed to provide all necessary printing for the Mining Investigating Commission, and testimony taken by it shall be reported in full and may be published from time to time by the commission.

APPROVED June 27, 1917.

VENTILATION OF MINES.

§ 1. Amends section 14, Act of 1911.

§ 14. Provides for leaving blind pillars between not less than every three rooms, subject to review by Department of Mines on complaint.

(HOUSE BILL No. 1031. APPROVED JUNE 27, 1917.)

AN ACT to amend an Act entitled, 'An Act to revise the law in relation to coal mines and subjects relating thereto and providing for the health and safety of persons employed therein,' approved June 6, 1911, in force July 1, 1911, as subsequently amended by amending section fourteen (14) thereof."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to coal mines and subjects relating thereto and providing for the health and safety of persons employed therein," approved June 6, 1911, in force July 1, 1911, as subsequently amended, be and the same is hereby amended, by amending section fourteen (14) thereof to read as follows:

§ 14. VENTILATION.] (a) At every coal mine there shall be provided, supplied and maintained an amount of air which shall not be less than one hundred (100) cubic feet per minute for each person, and not less than five hundred (500) cubic feet per minute for each animal in the mine, measured at the foot of the downcast and of the upcast; except that in gaseous mine there shall be not less than one hundred and fifty (150) cubic feet of air per minute for each person in the mine. The inspector shall have power by order in writing to require these quantities to be increased.

(b) The main current of air shall be so split or subdivided as to give a separate current or reasonably pure air to every 100 men at work, and the inspector shall have authority to order, in writing, separate currents for smaller groups of men, if, in his judgment, special conditions render it necessary.

(c) Doors, curtains or brattices shall be placed at such places as may be designated by the mine manager, subject to the approval of the State Inspector, to conduct into the working places an amount of air sufficient to render the working places reasonably free from deleterious air of every kind.

(d) Away from the pillar for the mine bottom, cross-cuts between entries shall be made not more than sixty feet apart without permission of the State Inspector of the district and then only in case of "faults." When such consent is given, brattice or other means must be provided within sixty feet of the face to convey the air to the working place until a cross-cut is opened up.

When undercut or sheared, the entry, cross-cut and room neck may be advanced concurrently, but not more than one cutting shall be shot in the room-neck until the cross-cut is finished; and after the entry has advanced fifteen feet beyond the location of the new cross-cut, only one shot shall be fired in the entry to two in either or both the cross-cut and room-neck at the same shooting time.

When not undercut or sheared, the entry and cross-cut may be advanced concurrently, but no room shall be opened in advance of the last open cross-cut, and after the entry has advanced fifteen feet beyond the location of a new cross-cut only one shot shall be fired in the entry to two in the cross-cut at the same shooting time.

Not more than three shots shall be exploded at one shooting time ahead of the last open cross-cut.

(e) After the taking effect of this Act, the first cross-cut between all rooms off any entry shall not be more than sixty (60) feet from the rib of the entry. Additional cross-cuts shall not be more than sixty (60) feet apart: *Provided, however* that if in any mine the conditions are such that in the judgment of the duly accredited representative of the Department of Mines and Minerals, expressed in writing, it is considered equally safe and more advantageous to leave a blind pillar between not less than every three rooms, the Department of Mines and Minerals shall have power to grant the authority to leave said pillar subject to review by the Department of Mines and Minerals on formal complaint of the representative of either party in interest and after an open hearing.

(f) All cross-cuts connecting inlet and outlet air courses, except the last one nearest the face, shall be closed with substantial stoppings to be made as nearly air-tight as possible. In the making of the air-tight partitions or stoppings, no loose material or refuse shall be used.

Cross-cuts between rooms except the one nearest the face, shall be closed sufficiently to carry to the working places the amount of air required by law.

(g) All possible care and diligence shall be exercised in the examination of working places, especially for the investigation and detection of explosive gases therein, and where found, such gas shall be removed by a special current of air produced by bratticing or from a pipe, before men are permitted to work in such places with other lights than safety lamps.

(h) If, in any mine, the conditions are such that in the judgment of the mine manager or the judgment of the State Mine Inspector expressed in writing, it is necessary to use safety lamps only in working said mine, other lights shall not be used therein.

(i) The air from the outlet of the stable shall not pass into the intake air current used for ventilating the working parts of the mine.

(j) All doors in mines, used in guiding and directing the ventilating currents shall be hung and adjusted so as to close automatically.

(k) At all doors through which three or more drivers are hauling coal on any one shift, an attendant shall be employed on said shaft [shift] for the purpose of opening and closing said doors when trips of cars are passing to and from the workings: *Provided*, the mine inspector in case of specially dangerous conditions, shall have power to require in writing that an attendant be placed at doors through which less than three drivers shall pass. Places for shelter shall be provided at such doorways to protect the attendants from being injured by the cars while attending to their duties: *Provided*, that in any or all mines, where

doors are constructed in such a manner as to open and close automatically, attendants and places for shelter shall not be required.

(l) If the inspector shall find men working without the amount of air required by law, he shall at once notify the mine manager to increase the amount of air in accordance with the law. Upon the failure or refusal of the manager to act promptly, and in all cases where men are endangered by such lack of air, the inspector shall at once order the men affected out of the mine.

(m) In case the passageways, roadways or entries of any mine are so dry that the air becomes charged with dust, the operator of such mine must have such roadways regularly and thoroughly sprayed, sprinkled or cleaned.

(n) At all mines employing over one hundred (100) men underground and in all mines generating fire damp, the ventilating fan shall be run both day and night; at all mines employing less than one hundred (100) men underground, the fan shall be run at its usual speed for six (6) hours before men go into the mine to work. A recording pressure gauge shall be maintained in connection with each fan at all times: *Provided*, nothing in this clause shall apply to mines employing ten men or less.

APPROVED June 27, 1917.

NOTICES.

BY PUBLICATION IN COURTS OF RECORD.

§ 1. Amends section 1, Act of 1897.

§ 1. Service by publication in courts of record.

(SENATE BILL NO. 182. APPROVED JUNE 14, 1917.)

AN ACT to amend an Act entitled, "An Act to regulate service by publication in courts of record and to repeal Acts in conflict therewith," approved June 11, 1897, in force July 1, 1897, by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to regulate service by publication in courts of record and to repeal Acts in conflict therewith," approved June 11, 1897, in force July 1, 1897, be and is hereby amended by amending section one (1) to read as follows:

§ 1. In all suits at law or in chancery, or in probate matters hereafter commenced in courts of record in this State where service by publication is required or against non-resident defendants who reside or have gone out of the State or on due inquiry cannot be found or are concealed within this State so that process cannot be served upon them, it shall be sufficient publication if such notice shall be published at least once in each week for four successive weeks, the first publication to be at least thirty (30) days prior to the first day of the term of such court, in some newspaper of general circulation in the county in which such suit may be brought.

And the clerk of the court shall mail to the defendants at their last known place of residence, as stated in the affidavit, a copy of said notice, within ten days after the first day of the publication of the same.

APPROVED June 14, 1917.

PARKS.

CONVEYING OF PARK LANDS.

§ 1. Park commissioners authorized to convey lands to city — special election—city ordinance accepting conveyance.

§ 2. Notice of election to be published—form of ballot.

(HOUSE BILL No. 499. APPROVED JUNE 25, 1917.)

AN ACT to enable the board of commissioners of certain park districts to convey certain lands for park and other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* When any park district organized under the provisions of any general law of this State and which park district shall lie wholly within the limits of any city within this State, shall have acquired any lands for park purposes, and the board of commissioners of such park district shall find such park district unable to maintain or improve such lands or any part thereof, or that it is inadvisable so to do, it shall be competent for the board of commissioners of such park district to convey the said lands, or any part thereof, to such city, to be held and maintained by such city for park, playground and neighborhood center purposes. Before such conveyance shall be made the proposition of making the same shall be submitted for approval to the legal voters of such park district at a special election within said park district, and if at such election a majority of the legal voters of such park district who shall vote at such election shall vote in favor thereof such conveyance for such purposes shall be made by said commissioners, provided the city council of said city shall by ordinance passed within ninety days after such election agree to accept such conveyance of said lands for such purposes.

§ 2. The board of commissioners of such park district shall designate the place or places where such election shall be held, and appoint the judges and clerks thereof, and cause notice to be published in some newspaper published in such park district, if there be one, and if there be none then in some newspaper published in said city, at least two weeks before such election. The ballots to be used at such election shall be in the following form:

Proposed conveyance of (here describe the lands to be conveyed) to the city offor park, play ground and neighborhood center purposes.	YES	
	NO	

APPROVED June 25, 1917.

CREATION OF PLEASURE DRIVEWAYS AND PARK DISTRICT—ACQUIRING
LANDS AND ELECTION OF TRUSTEES.

§ 1. Amends sections 8 and 12, Act of 1911.

§ 8. May acquire land by gift, grant, devise or purchase — bond issue — limitations—tax.

§ 12. Election of president and trustees — how conducted — submission of question as to election or appointment of trustees — how trustees to be appointed — other officers.

(HOUSE BILL NO. 464. APPROVED JUNE 14, 1917.)

AN ACT to amend sections eight (8) and twelve (12) of an Act entitled, "*An Act for the creation of pleasure driveways and park districts,*" approved June 19, 1893, and in force July 1, 1893, as amended by Act approved June 17, 1895, in force July 1, 1895, as amended by an Act approved and in force May 11, 1901, as amended by an Act approved June 7, 1911, and in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections eight (8) and twelve (12) of an Act entitled, "*An Act for the creation of pleasure driveways and park districts,*" approved June 19, 1893, in force July 1, 1893, as amended by Act approved June 17, 1895, and in force July 1, 1895, as amended by Act approved and in force May 11, 1901, as amended by Act approved June 7, 1911, and in force July 1, 1911, be and the same is hereby amended to read as follows:

§ 8. Such pleasure driveway and park district created under this Act shall have power to acquire by gift, devise, grant or purchase, or by condemnation under the Act of eminent domain, any or all grounds or lands necessary for building, laying out, and maintaining any such pleasure driveway, boulevards and parks, as such board of trustees may deem proper, and shall also have the power to raise money by general taxation for the purpose of acquiring the right of way for laying out building and maintaining any such driveways, boulevards and parks, and may, by general taxation, raise sufficient money to pay all necessary expenses incurred by said board for engineer's, secretary's and attorney's services and for the purpose of keeping in repair, and for paying policemen or other persons necessarily employed to guard, protect and maintain any such pleasure driveway, boulevards and parks within said district; and power is also hereby conferred upon said pleasure driveway and park district to borrow money on the credit of the district and issue bonds therefor in such amounts and on such conditions as it shall prescribe for the payment of land condemned or purchased for parks, boulevards and pleasure driveways, for the building, maintaining and improving the same, and for the payment of expenses incident thereto; but the said district shall not, unless authorized by a vote of the electors of such district as hereinafter provided, become indebted in any manner nor for any purpose to any amount, above existing indebtedness: but the said board of trustees may at any election in said district at which members of said board are voted for, also submit to the electors of said district the question of incurring a larger amount of indebtedness and issuing bonds therefor, and in that case the amount of indebtedness to be incurred and the bonds to be issued shall be plainly printed on the ballots, and the

ballots prepared for the voters at any election upon the question of such increase of indebtedness or said bond issue shall conform to the requirements of law for submitting amendments to the constitution. If a majority of the electors voting at such election shall vote for incurring such increase of indebtedness or bond issue, the same shall thereby be fully authorized; but such further increase of indebtedness or the issuing of bonds shall in no case exceed, including existing indebtedness, the sum of five per centum on the value of taxable property therein, to be ascertained by the last equalized assessment for State and county taxes previous to the borrowing of such money and issuing of such bonds, and before or at the time of issuing such bonds, said board shall provide for the collection of an annual tax sufficient to pay the interest on such bonds as it falls due and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing such bonds.

All general taxes proposed by said board of trustees to be levied upon the taxable property within said district shall be levied at the same time and in the same manner as taxes are now levied for city and village purposes under the laws of this State: *Provided*, the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of the interest on the bonded indebtedness shall not exceed the rate of six mills per centum upon the aggregate valuation of property within such district subject to taxation therein as the same was equalized for the State and county taxes for the year previous. All moneys when collected under any of the provisions of this Act shall be paid to the treasurer of said board of trustees for said district.

§ 12. The regular election for president and trustees of any district organized under this Act shall be held every two years after such organization on the third Tuesday of July, and the president and board of trustees shall give twenty (20) days notice of such election the purpose for which the same is held, establish the number and boundary lines of the election precincts in said park district and designate the polling places in each precinct, and appoint the judges and clerks of election, furnish the official ballots, and the election shall be conducted and the votes canvassed and the returns made to the board of trustees of any such districts in the manner as required of the president and board of trustees of incorporated villages in this State acting under the general law for the incorporation of cities and villages: *Provided*, that whenever all or any part of the territory embraced in any district organized under this Act is within the territorial limits of any city or village in which are in force the provisions of an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, and Acts amendatory thereto, and in which are also in force the provisions of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto article XIII," approved March 9, 1910, in force July 1, 1910, the provisions of said Act entitled, "An Act regulating the holding (of) elections and declaring the results thereof in cities, villages

and incorporated towns in this State," and Acts amendatory thereto, shall apply at all elections held in such district throughout so much of said district as is within the territorial limits of said city or village, and there shall be elected at the first election held in such district after this amendatory Act shall be in force, the president and six trustees of such district, who shall hold their office until the election and qualification of their successors, who shall be elected at an election to be held in such district at the same time and on the same day on which falls the first regular election thereafter for mayor and commissioners for such city or village, and at said last mentioned election there shall be elected in such district the president, whose term of office shall be two years and whose successor shall be elected every two years thereafter, and six trustees, three of whom, to be so designated upon the ballot, shall hold their office for the term of two years and whose successors shall then be elected for a term of four years and every four years thereafter and three of whom, to be so designated upon the ballot, shall hold their office for the term of four years and whose successors shall be elected every four years thereafter: *And provided, further,* that the election of any person declared elected to the office of president or trustee of any district organized under this Act may be contested by any qualified voter of such district in like manner as the election of mayors of cities may be contested, and that the Circuit and County Courts of the county within which said district or the greater portion thereof lays, shall have concurrent jurisdiction to hear and determine such contests.

Nominations of candidates for the office of president and trustee to be voted upon at all elections provided for by this Act, other than the election called by the County Court, as hereinbefore provided, for the election for the first trustees for any such district, shall be made only by petition in like manner as is provided for nominations for candidates by petition for town offices, in counties under township organization by an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, and Acts amendatory thereto; such petition shall be addressed to, and filed in the office of the board of trustees of such pleasure driveway and park district, and a copy thereof shall at once be certified by the secretary of such board to the board of election commissioners of any such city or village, in which said district lays wholly or in part, and in which are in force the provisions of said Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," and of said Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto, by adding thereto Article XIII," and all objections or other questions arising in relation to such nominations and petitions therefor shall be passed upon by the Circuit or County Court of the county in which such district, or the greater portion thereof lays, and the decision of such court shall be final.

The question whether the trustees of any pleasure driveway and park district shall be elected by the legal voters of such district, or shall be appointed by the county and circuit judges, as hereinafter provided, may be submitted for adoption or rejection by the legal voters of said district at any election for trustees held in such district upon petition signed by not less than five per centum of the legal voters of such district and filed with the board of trustees, or, if asked for in the petition for organization of such district, at the election held for the purpose of voting upon the question of such organization; and the ballots at such election shall be in the following form:

For the appointment of park trustees.	
Against the appointment of park trustees.	

A majority of all the legal votes cast at such election shall determine the manner thereafter of selecting such park trustees.

The votes cast at such election in districts not organized shall be canvassed by the board of trustees of said park districts and the results thereof spread upon the records of said district; and the votes cast at the elections for the organization of such park districts shall be canvassed by the county judge and be spread upon the records of said court.

Within ten (10) days after any such election in which a majority of the legal votes cast thereat shall be in favor of the appointment of trustees for said district, as herein provided, the county judge of the county in which all or a greater portion of said district is located, and two of the judges of the Circuit Court of the judicial district in which said park district is located, which of said circuit judges shall act to be determined by lot among themselves, shall appoint by ballot for such park district seven trustees of such district who shall qualify and hold their respective offices until the first Monday in July following such organization and until their successors are appointed and qualified as herein provided, and no longer; and in all park districts now organized under this Act in which the question of the manner of choosing park trustees has been submitted to the legal voters of said district, and a majority of the legal votes cast at said election shall be in favor of the appointment of said trustees as herein provided, the officers of said park district then in office shall hold their respective offices until the first Monday in July following, and until their successors are appointed and qualified as herein provided, and no longer.

On the first Monday of July following the election in any park district organized, or to be organized, under this Act in which the legal voters have determined as herein provided that the park trustees shall be appointed as provided by this Act, the county and circuit judges, as above designated, shall appoint, by ballot, seven trustees who shall con-

stitute the board of trustees for all pleasure driveways and park districts organized under this Act, and thereafter said judges shall appoint trustees biennially for such districts, on the first Monday in July, to fill the vacancy on said board of trustees caused by the expiration of the term of office of trustees or to fill any vacancy on said board occurring from any cause whatsoever, and said trustees shall be legal voters and reside within the said park district: *Provided*, that no more than four of said trustees, at any one time shall belong to the same political party. Each of said trustees shall receive a certificate of appointment and qualify within ten days from the receipt of notice of election.

In each pleasure driveway and park district organized, or hereafter organized under this Act, immediately upon the appointment of park trustees as herein provided, said trustees shall meet in some convenient place in said park district and organize and elect by ballot from among their members a president and vice president, who shall qualify and hold their respective offices for a term of two years, and until their successors are elected and qualified. At the first meeting of the trustees appointed as provided herein, they shall divide themselves by lot into two classes, the first class, consisting of four members, shall hold their office for a period of four years, and the second class, consisting of three members, shall hold their office for a period of two years and at the expiration of the term of office of the second class their successors shall be appointed for a period of four years, and thereafter each class of trustees shall be appointed for a period of four years and shall hold their office until their successors are appointed and qualified. The president shall preside at all meetings and in his absence or disability the vice president shall preside.

The president and trustees shall elect a secretary and treasurer, whose term of office shall not be longer than two years, and they shall give such bond and perform such duties as shall be required of them by said board of trustees.

All trustees appointed for any park district, as herein provided, shall have and exercise all the powers conferred by this Act upon trustees elected under the provisions of this Act.

All Acts and parts of Acts relating to holding elections in the State of Illinois which in any way conflict with the provisions for elections in pleasure driveway and park districts organized under this Act and amendments thereto, be and they are hereby repealed in so far as they relate to elections and the manner of holding the same in such pleasure driveway and park districts.

APPROVED June 14, 1917.

OATHS OF COMMISSIONERS.

§ 1. Amends section 7, Act of 1895.

§ 7. Oath of commissioners—filing.

(SENATE BILL NO. 328. APPROVED MAY 26, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895 as subsequently amended by amending section 7 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895 as subsequently amended be and the same is hereby amended by amending section 7 thereof to read as follows:

§ 7. Each of said commissioners before entering upon the duties of his office shall take and subscribe an oath to well and faithfully discharge his duties as such commissioner, which oath shall be filed in the office of the clerk of the county in which the commissioner resides.

APPROVED May 26, 1917.

ORGANIZATION OF PARK DISTRICTS AND TRANSFER OF SUBMERGED LANDS—LEASE OF LANDS FOR PLAY GROUNDS.

§ 1. Amends section 15, Act of 1895.

§ 15. As amended, provides park district may acquire land from any municipal corporation by lease or permit for play grounds.

(SENATE BILL NO. 442. APPROVED JUNE 14, 1917.)

AN ACT to amend section 15 of an Act entitled "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895, as amended by an Act approved April 22, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 15 of an Act entitled "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895, as amended by an Act approved April 22, 1899, in force July 1, 1899, be and the same is hereby amended to read as follows:

§ 15. Said park district shall have the power to acquire by gift, grant or purchase, or by condemnation under the Act of eminent domain, any and all real estate, lands, riparian estates or rights, and all other property required or needed for any such park or boulevard, or for extending, adorning or maintaining same, and located within its territory.

And said park district shall have power to acquire by lease or permit from any other municipal corporation, the right to occupy and use real

estate, lands and riparian estates, for park and play ground purposes, and to improve, maintain and equip the same as a park or play ground; *Provided* that no permanent building or structure shall be placed upon land so acquired by lease or permit.

When condemnation proceedings are had they shall conform as nearly as practicable to such proceedings by cities or villages as set out in article 9 of chapter 24 of the Revised Statutes of Illinois and in any amendments thereto.

APPROVED June 14, 1917.

PENSION FUNDS—PARK POLICE.

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| § 1. Creates police pension fund. | § 7. Meetings of board—officers—certificates—record—certified lists. |
| § 2. Board of trustees — appointment and election—vacancies—rooms. | § 8. How pension fund secured — duty of Superintendent of Insurance — report—tax. |
| § 3. Who entitled to pension—how paid. | § 9. Power and authority of board. |
| § 4. Retirement for physical disability — certificate of disability. | § 10. Annual statement by treasurer of collection of funds—inspection of books. |
| § 5. Death or injury while in performance of duty—death from other causes or insanity — to whom pension paid. | § 11. This Act to supersede former Acts repeal — rights under old Act preserved — pensions exempt from attachment, etc. |
| § 6. When pension allowance ceases for misconduct—when allowance reduced on account of other compensation. | |

(SENATE BILL NO. 233. FILED MAY 19, 1917.)

AN ACT to provide for the setting apart, formation, administration and disbursement of a park police pension fund.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any person [persons] have been or may be appointed or otherwise selected as commissioners or officers and constitute a board of park commissioners for any one or more towns, whether said towns have heretofore existed or now exist under and in pursuance of any Act or Acts of the General Assembly of this State, for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work or improvement, and such board of park commissioners shall have established a police force or department of police under the employ of such board of park commissioners, there shall be created, maintained and disbursed in the manner prescribed in this Act a pension fund for such policeman.

§ 2. A board, composed of five members, residents of such one or more towns, to be chosen as hereinafter provided, shall be and constitute a board of trustees to provide for the handling and disbursements of said fund or funds and designate the beneficiaries thereof, as herein directed, and shall be known as the board of trustees of the police pension fund of the park board of commissioners of such one or more towns. Three shall be appointed by the president of the board of park commissioners of such one or more towns.

Those members of said board of trustees who were heretofore appointed under and by virtue of an Act entitled, "An Act to provide

for the setting apart, formation, administration and disbursement of a park police pension fund," approved May 23, 1913, in force July 1, 1913, shall serve for the term for which they were respectively appointed or until such time as their successors are appointed and qualified; the successors of any of the foregoing trustees shall serve for a period of three years each or until such time as their successors are appointed and qualified. The said three members shall not hold during their term of membership on such board, any appointive or elective political offices or positions. The remaining two members of said board shall be chosen, one from the active police force of such police department and one from the body of the pensioners under this Act who shall have been members of such police department.

The members to be chosen from the active police force shall be elected by ballot at an annual election, at which election all members of the active police force shall be entitled to vote. The members to be chosen from the body of pensioners under this Act shall be elected by ballot at an annual election, at which election all retired policemen who are pensioners under this Act or the Act aforesaid, and the widows of all deceased pensioners who are pensioners under this Act and the Act aforesaid, shall be entitled to vote. In the event there shall be no widow surviving, then the guardian of any children of such deceased pensioner, where such children are also pensioners, may cast the vote to which such widow would have been entitled had she survived.

Elections shall be held annually on the third Tuesday of July, under the rules and regulations prescribed by the board of trustees, at such place or places in such town or towns and under such regulations as shall be prescribed by the three appointive members of said board: *Provided, however*, that no person entitled to vote under the provisions of this section shall cast more than one vote at any such election.

The members to be elected from the active police force and from the body of pensioners shall serve for a period of one year or until their successors are elected and qualified.

In the event of the death, resignation or inability to act of any elected member of said board, the successor of such member shall be elected at a special election, which shall be called by said board and shall be conducted in the same manner as are annual elections hereunder. Suitable rooms for offices and meetings of such board shall be assigned and provided by the board of park commissioners of such one or more towns.

§ 3. Whenever any person shall have been or shall hereafter be appointed and sworn, either as a probationary or regular policeman, and shall have served for a period of twenty years or more as such policeman on the police force of such board of park commissioners, and such policeman shall have reached the age of fifty (50) or more years, he may make application to said board for retirement and said board shall order and direct that such policeman, after his service on such police force shall have ceased, shall be paid a yearly pension:

(a) Equal to one-half of the amount of the salary attached to the rank which he may have held in said police force for one year immediately prior to the time of his retirement from the police force:

Provided, however, the maximum of such pension shall not exceed the sum of eleven hundred (\$1100.00) dollars, and the minimum be not less than six hundred (\$600.00) dollars, per annum; and

(b) After the death of any such policeman, his widow, in case the marriage of such policeman shall have taken place more than one year prior to the time a pension was granted him hereunder, shall receive a pension of fifty (\$50.00) dollars per month and an additional sum of ten (\$10.00) dollars for each of their children under eighteen (18) years of age. Should any such child cease attending school between the ages of fourteen (14) and eighteen (18) years, the aforesaid sum shall be reduced to five (\$5.00) dollars.

Should any policeman pensioned hereunder leave no widow surviving him, or should his widow die before his children arrive at the age of eighteen (18) years, each child shall receive, while regularly attending school, the sum of fifteen (\$15.00) dollars per month. Pensions paid to children shall cease as to any such child upon his or her arriving at the age of eighteen (18) years.

Any such member of any such police force who shall have served as aforesaid for a period of twenty (20) years and who has not yet reached the age of fifty (50) years may make application to said board for retirement, and any such policeman may retire forthwith; in case such policeman shall make monthly contributions to the pension fund of a sum equal to twice the amount deducted from his wages under section 8 hereof, the said board shall order and direct that upon said policeman arriving at the age of fifty (50) years he be paid the amount specified aforesaid under the paragraph designated "a," and that upon his death, either before or after his arriving at the age of fifty (50) years, his widow or children be paid the amount specified aforesaid under the paragraph designated "b," subject to the limitations therein contained.

§ 4. Whenever any person who has been appointed and sworn as a regular or probationary member of any such police force shall at any time become physically disabled while in, and in consequence of, the performance of police duty, said board upon his written request, or without such request, upon the recommendation of the commanding officer of police, may retire such policeman from actual service, and order and direct that he be paid from such fund a yearly pension not exceeding one-half of the amount of the salary attached to the rank which he may have held in said police force at the time of his retirement: *Provided, however,* that the maximum sum of such pension shall not exceed the sum of eleven hundred (\$1100.00) dollars per annum, and the minimum not less than six hundred (\$600.00) dollars per annum: *Provided, however,* that whenever such disability shall cease, such pension shall cease, and such person shall thereupon be reinstated in the department in the rank held by him at the time of his retirement. On the death of any person so retired, his widow, provided the marriage of such policeman shall have taken place prior to the date of becoming so disabled, or child or children under the age of eighteen (18) years of such deceased pensioner, shall be paid the pension specified aforesaid

in section 3 hereof under the paragraph designated "b," subject to the limitations therein contained.

No policeman shall be retired as provided in this section or receive any benefit from such fund unless there shall be filed with said board certificates of his disability, which shall be subscribed and sworn to by said person and by the commanding officer of police and by two practicing physicians of such one or more towns, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid. Any policeman retired for disability under this Act shall be summoned by said board at least once a year for examination by one or more practicing physicians selected by such board, and such physician or physicians shall report to said board the condition of said policeman with reference to the disability, and such board shall discontinue payment of pension to such policeman if such disability has ceased.

§ 5. Whenever any person who has been appointed and sworn as a regular or probationary member of any such police force shall while in, and in consequence of, any performance of police duty, lose his life or shall receive injuries from which he shall thereafter die, leaving a widow, or child or children under the age of eighteen (18) years, then, upon satisfactory proof being made to it, such board shall order and direct that the pensions described in section 3 hereof to be paid to the widow and children, shall be paid to such widow or such child or children, subject to the limitations contained in said section 3.

Whenever any policeman shall die from causes other than those referred to in the preceding paragraph of this section, or be legally adjudged insane, and at such time shall have a wife (whom he has married more than two (2) months prior to his demise or the date upon which he shall be adjudged insane), or child or children under the age of eighteen (18) years, then, upon satisfactory proof of such facts made to it, said board shall order and direct that a monthly pension of a sum produced by multiplying the number of years of service (including the year during which any such policeman shall die or become insane) by two and a half ($2\frac{1}{2}$), be paid to his widow or wife: *Provided, however*, that such pension shall not exceed forty (\$40.00) dollars per month. Each child of such deceased or insane policeman shall receive a pension as provided in section three (3) of this Act.

If at any time it be declared, in the manner provided by law, that any policeman becoming insane is restored to reason, then the pension granted on account of his insanity shall cease, and such person shall, in the discretion of such board, be reinstated in the police department, in the rank held by him at the time he was legally adjudged to be insane: *And, provided further*, that such pension shall cease if such person shall leave or be taken outside of the State of Illinois.

§ 6. Whenever any person who shall have received any benefit under this Act shall be convicted of a felony or shall become an habitual drunkard or a non-resident of the United States, or whenever any policeman shall fail to submit himself for examination as to fitness for duty, as provided for in section 4 hereof, or shall disobey the requirements of said board in respect to said examination, then said board shall order that such pension allowance as may have been granted to such policeman

shall cease and determine, and such policeman shall receive no further pension, allowance or benefit under this Act.

Should any policeman or his heirs receive any compensation or allowance from any such board of park commissioners under or in pursuance of the law known as the Workmen's Compensation Act or any other similar Act, the pension herein provided for shall be reduced by the amounts so received by such policeman or his heirs, if such compensation or allowance be payable in installments. If payable otherwise, no pension shall be granted to any such policeman, his widow, child or children until such time as they or any of them would have received an equal amount of money under the terms of this Act, were such other compensation or allowance not awarded them or any of them.

In case the widow of any policeman pensioned hereunder shall marry, the pension heretofore granted her shall at once cease and determine. No pension shall be paid for or on account of any child attending school unless there shall be filed with the clerk of said board, at least once every six months, a certificate, signed by the principal or person in charge of the school attended by such child, stating that such child is a regular attendant of such school.

No pension shall be granted to any policeman, his widow or children, or to the widow or children of any pensioned policeman, unless an application therefor is filed with said board within one year from and after the date of the retirement or death of such policeman or death of such pensioned policeman.

No adopted child shall be entitled to any benefits under this Act.

§ 7. The board herein provided for shall hold quarterly meetings on the second Tuesday of July, October, January and April of each year, and special meetings upon the call of the president of said board. On the second Tuesday of July of each year, it shall select one of its members who shall act as the president of such board for the period of one year until such time as his successor is elected and qualified. Said board shall, on the same day, also select another of its members who shall act as the treasurer and also secretary of said board for the period of one year or until such time as his successor is elected and qualified. Said board shall issue certificates, signed by its president and secretary, to the policeman entitled thereto of the amount of money ordered paid to such policeman from said fund by said board, which certificate shall state for what purpose said payment is made. Said board shall keep a record of the proceedings of all its meetings, which record shall be a public record. Said board shall submit quarterly to the board of park commissioners of such one or more towns a list of persons entitled to payments from the fund herein provided, stating the amount of such payments, and for what granted, as ordered by the board, which list shall be signed and certified to by the treasurer and president of such board and attested by such treasurer under oath: *Provided*, that no resolution shall be passed or order made for the payment of money unless by affirmative vote of a majority of the members of said board.

§ 8. Said pension fund shall consist of amounts of two and one-half per cent. retained or deducted from the salary or wages payable to

each member of such police department each month, and such other sums as are hereinafter referred to.

It shall be the duty of the Superintendent of Insurance of the State of Illinois to determine the amount of money necessary to be provided annually for the purpose of:

(a) Paying pensions granted under the Act superseded by this Act;

(b) Paying pensions to policemen (their widows and children entitled thereto) members of the department of police prior to January 1, 1916; and

(c) Establishing and maintaining a reserve fund for the payment of pensions to policemen (their widows and children) becoming members of the police department subsequent to January [1], 1916.

Such Superintendent of Insurance shall report his findings to the board on or before the second day of July of each year. Said board shall certify to the board of park commissioners respectively on or before the tenth day of July annually, beginning July, 1917:

First: The assets in their custody at such time;

Second: The estimated receipts during the next succeeding year (from July 1st to June 30th) from deductions from the salary of policeman as hereinabove provided and from all other sources;

Third: The estimated amount required during said period for:

(a) Paying pensions granted under the Act superseded by this Act;

(b) Paying pensions to policemen (their widows and children entitled thereto), members of the department of police prior to January 1, 1916; and

(c) Establishing and maintaining a reserve fund for the payment of pensions to policemen, (their widows and children) becoming members of the police department subsequent to January, 1916.

Such Superintendent of Insurance shall report his findings to the board on or before the second day of July of each year. Said board shall certify to the board of park commissioners respectively on or before the tenth day of July annually, beginning July, 1917:

First: The assets in their custody at such time;

Second: The estimated receipts during the next succeeding year (from July 1st to June 30th) from deductions from the salary of policeman [policemen] as hereinabove provided and from all other sources;

Third: The estimated amount required during said period for:

(A) Paying pensions granted under the Act superseded by this Act,

(B) Paying pensions to policemen (their widows and children entitled thereto), members of the department of police prior to January 1, 1916; and

(C) Establishing and maintaining a reserve fund for the payment of pensions to policemen, (their widows and children) becoming members of the police department subsequent to January 1, 1916.

Each of said boards of park commissioners shall annually levy a tax (in addition to the taxes now authorized by law) upon all taxable property embraced in the district governed by them respectively at the rate on the dollar of all such taxable property which, when added to the

deductions from the salary or wages of policemen and receipts available from all other sources, as hereinabove referred to, will amount to a sufficient sum to meet the annual requirements above referred to and designated as (a), (b) and (c). Said taxes shall be levied and collected with and in like manner as the general taxes of such parks, and the fund arising therefrom shall be known as the "Park Police Pension Fund," which fund shall be used solely for the purpose of carrying out the provisions of this Act; said taxes shall not be included in the aggregate of all taxes to be reduced under the provisions of an Act entitled, "An Act concerning the levy and extending [extension] of taxes," approved May, 9, 1901, in force July 1, 1901, and Acts amendatory thereto. The amount of such annual tax to be levied by the south park commissioners shall not exceed $1/25$ th of a mill on the dollar upon all taxable property embraced within such park district; the amount of such annual tax to be levied by the West Chicago Park Commissioners shall not exceed $1/10$ th of a mill on the dollar upon all taxable property embraced within such park district; and the amount of such annual tax to be levied by the Lincoln Park Commissioners shall not exceed $1/17$ th of a mill on the dollar upon all taxable property embraced within such park district.

The county clerk of the county where such park districts are located, or such officer or officers as are authorized by law to spread or assess taxes for park purposes, or other purposes, shall, on receiving certificates from such boards of park commissioners that the amount mentioned in such certificates is necessary for the purpose of paying the liabilities incurred by the operation of this Act, spread and assess such amount upon the taxable property embraced in each such park district, the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over in the same manner as other park taxes are now required by law to be collected and paid.

When such taxes are received by said board of park commissioners respectively, they shall forthwith be turned over to the treasurer of the said pension board upon his sole receipt.

Any excess remaining at the end of the fiscal year in the possession of said board shall be credited to the fund for the ensuing year; any deficit shall be provided for during such ensuing year.

Should any such board of park commissioners be without authority to levy taxes, then the corporate authorities of any such town (meaning the town supervisor, clerk or assessor thereof) shall perform the duties hereinabove devolved upon the board of park commissioners.

§ 9. In addition to the other powers herein granted, the following further powers and authority are hereby conferred upon said board:

First. The said board shall have exclusive control and management of the the fund mentioned herein, and of all moneys donated, paid or assessed for the relief or pensioning of disabled, superannuated and retired policemen, their widows and minor children: the same to be placed by the treasurer of such board to the credit of such fund subject to the order of such board;

Second. All rewards, moneys, gifts, fees or emoluments that may be paid or given for, or on account of extraordinary service for said

police force or by any policeman, except when allowed to be retained by said policeman or given to endow a medal or other competitive reward, shall be paid into said pension fund. Said board may take by gift, grant, devise or bequest any moneys, real estate, personal property, right of property or other valuable thing;

Third. Said board shall have the power to draw such pension fund from the treasurer or other officials of such board of park commissioners, and may invest such fund, or any part thereof, in the name of the board of trustees of the police pension fund, in interest bearing bonds of the United States, of the State of Illinois, or of any county of this State, or of any township or any municipal corporation of the State of Illinois, and all such securities shall be deposited with the treasurer of said board and shall be subject to the order of said board; said treasurer of said board shall furnish a good and sufficient bond to said board in an amount to be fixed by said board, all costs, incidental to the same, to be paid out of said pension fund.

Fourth. To compel witnesses to attend and testify before it upon all matters connected with the operation of this Act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery, and its president, or any member of said board, may administer oaths to such witnesses;

Fifth. To appoint a clerk and define his duties;

Sixth. To provide for the payment from said funds of all its necessary expenses, including clerk hire, printing and witness fees: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this Act: *And, provided, further*, that the interest on said fund or any portion thereof shall be credited thereto and no portion thereof shall be retained by the treasurer of said board.

Seventh. To make all necessary rules and regulations for its guidance, in conformity with the provisions of this Act.

Said board shall submit a report, at least once each year, to the Superintendent of Insurance of this State, and the said Superintendent of Insurance of this State, and the said Superintendent of Insurance shall prescribe the form for such reports, the matter which they shall contain, and the time when they shall be submitted, and said Superintendent of Insurance shall report the information so submitted, or a comprehensive summary thereof, to the Governor of this State at least once each year. The said Superintendent of Insurance shall also prescribe a system of records and accounting to be used in the management of this fund.

§ 10. On the third Tuesday in May of each year, the treasurer and all other officials of such board of park commissioners who have had the custody or possession of any such pension funds herein provided, shall make a sworn statement to the board of trustees of such police pension fund, and to the board of park commissioners, of all moneys received and paid out by such official on account of said pension fund during the year, and of the amount of said funds then on hand and owing to said pension fund. All surplus then remaining on said official's hands

shall be paid by him to the treasurer of said pension board: *And, provided further*, any such official shall at any and all times upon demand by said pension board furnish to said board statements or information of any kind relative to said official's method of collection or handling of said pension funds: *And, provided, further*, that all books and records of such official shall be produced at any time by said official for examination and inspection by said board of pension trustees for the purpose [purposes] herein provided.

§ 11. All persons who, upon the taking effect of this Act, are receiving any benefits under an Act entitled, "An Act to provide for the setting apart, formation, administration and disbursement of a park police pension fund," approved May 23, 1913, in force July 1, 1913, shall receive no further payment or benefits under said Act, but shall in lieu thereof be entitled to the benefits provided for in this Act, the intention being that this Act shall supersede the aforesaid Act, but that neither pensions granted thereunder nor the amounts thereof shall in anywise be affected.

An Act entitled, "An Act to provide for the setting apart, formation, administration and disbursement of a park police pension fund," approved May 23, 1913, in force July 1, 1913, is hereby expressly repealed.

All moneys, fines and penalties in the possession of any such board of trustees created by the provisions of the Act aforesaid, or to which any such board may be by law entitled, shall, upon the taking effect of this Act, become the property, for the uses and purposes herein set forth, of the board herein provided for.

Whereupon said board first above referred to shall be and hereby is dissolved and abrogated: *Provided*, that all legal proceedings instituted by, or in the name of, or against said board, shall be continued without abatement either in the name of said board or in the name by which they are instituted or conducted.

All pensions granted under this Act and every portion thereof shall be exempt from attachment or garnishment processes and shall not be seized, taken, subjected to, detained or levied upon by virtue of any execution or any processes or proceedings whatsoever issued out of or by any court in this State for the payment and satisfaction, in whole or in part, of any debt, claim, damage, demand or judgment against any pensioner hereunder, and no pensioner shall have the right to transfer or assign his or her pension, or any part thereof, either by way of mortgage or otherwise.

FILED May 19, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this nineteenth (19th) day of May, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

PUBLIC STREETS—REGULATION, IMPROVEMENT, AND MAINTENANCE—
PARK COMMISSIONERS.

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| <p>§ 1. Authority of commissioners — consent of corporate authorities and property owners.</p> <p>§ 2. Procedure, manner of taxation and date of meeting of city or village authorities when street is not within the jurisdiction of commissioners.</p> | <p>§ 3. When street passes from control of park board — corporate authorities to assume control.</p> <p>§ 4. Power to control streets in cities or villages.</p> <p>§ 5. Authority of municipalities to vest park commissioners with right to take over streets.</p> |
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(SENATE BILL NO. 79. APPROVED JUNE 22, 1917.)

AN ACT to enable park commissioners or park authorities to take, regulate, control, improve, repair and maintain public streets and to provide a method of securing funds for the improvement, repair, maintenance, regulation and control of same.

SECTION 1. *Be it enacted by the People of the State of Illinois; represented in the General Assembly:* That every board of park commissioners or park authorities shall have the power to connect any public park, boulevard or driveway under its control, with any part of any incorporated city, town or village, the territory of which shall touch, bound or be contiguous to such public park, boulevard or driveway, by selecting and taking any connecting street or streets, or parts thereof, leading to such park, boulevard or driveway, and shall have the power to accept and add to any park or parks under their control, any street, in its entirety or parts thereof which adjoins or runs parallel with any boundary line of the same: *Provided*, that the consent of the corporate authorities having control of any such street or streets or part thereof so far as selected and taken shall first be obtained.

And provided, further, that unless such street or streets or part or parts thereof shall have been previously restricted to boulevard or pleasure driveway purposes pursuant to law, the consent of the owners of at least two-thirds of the frontage of all property abutting upon said street or streets or part or parts thereof shall also first be obtained.

§ 2. In all cases when any such street or streets or part or parts thereof, taken as aforesaid by any board of park commissioners or park authorities shall lie in the city, town or village, the territory of which is not taxed for the maintenance of said board of park commissioners or park authorities, the said board of park commissioners or park authorities shall certify to the board of local improvements or other local municipal authorities of said city, town or village, the kind, character, quality and description of such improvement of such street or streets or part or parts thereof as such board of park commissioners or authorities propose to make on said street or streets or part or parts thereof under their control and which said board or authorities desire to have made on the said street or streets or part or parts thereof in said city, town or village, the territory of which is not taxed for the maintenance of said park commissioners or authorities, and thereupon said board of local improvements, or such other municipal authorities aforesaid, shall proceed under the local improvement Act or otherwise with the construction of said proposed improvement according to law.

It shall be the duty of the board of park commissioners or park authorities after the improvement of said street or streets, or parts thereof, taken as aforesaid from such city, town or village, to make an estimate of the amount of money required during the succeeding year for the maintenance, repair, up-keep and government of said street or streets or parts thereof in each city, town or village through which the said street or streets, or part or parts thereof, may extend that does not lie within the territory taxed for the maintenance of the board of park commissioners or park authorities taking said street or streets, or part or parts thereof, which estimate shall be made and certified to the local authorities of such city, town or village on or before the first day of September in each year. And it shall be the duty of the corporate authorities of said city, town or village to meet on the first Wednesday of October in each year and fix upon the amount of tax so certified to them by said board of park commissioners, for the purpose aforesaid, and immediately to certify to the county clerk in the county in which said taxing body is located the amount to be raised by taxation for the purpose aforesaid, in the respective city, town or village, and the county clerk shall compute and extend the same as other general taxes, but such tax shall be placed in a separate column headed "Driveway Maintenance Tax." The taxes so levied and collected shall be paid to the said board of park commissioners or park authorities upon their sole receipt to be expended by them within the district for which the taxes are levied for the purpose of such maintenance, repair, up-keep and government, and for none other. *Provided, however,* that the tax herein authorized to be levied shall not be subject to the scaling process required by the provisions of the Act entitled "An Act concerning the levy and extension of taxes" approved May 9, 1901, in force July 1, 1901 and amendments thereto.

§ 3. In case any such street or parts thereof, shall pass from the control of any such park board, the power and authority over the same, granted or authorized by this Act shall revert to the proper corporate authorities of such city, town or village, respectively as aforesaid.

§ 4. The said board of park commissioners or park authorities shall have, in addition to the power conferred, the same power and control of the street or streets, or part or parts thereof, including the regulation of traffic thereon, taken by them as aforesaid, as is now or may be by law vested in them: *Provided,* that the power and control conferred on the board of park commissioners or park authorities by this Act shall not be in limitation or construed to be in limitation of the power of the corporate authorities in the city, town or village to enforce the ordinances thereof within the limits of the street or streets, or parts thereof, taken as aforesaid.

§ 5. Any municipality in this State, located as defined and described in section one of this Act, shall have full power and authority by appropriate resolution or ordinance to vest such board of park commissioners or park authorities with the right to take over under the terms of this Act, any street of such municipality which may be used for the purpose of carrying out the provisions and conditions of this Act.

APPROVED June 22, 1917.

WIDENING AND IMPROVEMENT OF BOULEVARDS AND DRIVEWAYS.

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| § 1. Powers of commissioners. | § 3. How funds are to be raised to pay expense of improvement. |
| § 2. Authority to condemn property. | § 4. May issue bonds in certain cases—vote of property owners. |

(SENATE BILL NO. 142. APPROVED JUNE 26, 1917.)

AN ACT to enable park commissioners to widen and improve any boulevard, driveway or parkway under their control, to condemn land therefor, and to defray the cost thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every board of public park commissioners for any three towns, under and in pursuance of any act or acts of the General Assembly of this State, which has or have been or may be submitted to the legal voters of such three towns, and by them respectively adopted, which now has or hereafter shall acquire control over any boulevard, driveway or parkway, shall have the power to widen any such boulevard, driveway or parkway, or any part thereof, and to improve the same as widened.

§ 2. Any such board of park commissioners shall have power to take or damage such private property as may be necessary for such widening and may condemn the same in any manner in which such boards of park commissioners are now or may hereafter be authorized to exercise the power of condemnation in any other case, except as hereinafter provided.

§ 3. Any such board of park commissioners shall have power to pay for such widening and improvement or either by special assessment, or by general taxation, or by both special assessment and general taxation. For that purpose any such board is hereby authorized to levy, assess and collect (or) a special assessment on property benefited, in the manner provided by an Act entitled, an Act concerning local improvements, approved June 14, 1897, in force July 1, 1897, as amended. No such special assessment shall be levied for the maintenance or repair of any such boulevard, driveway or parkway, but the same shall be maintained and repaired by such park board or park authorities as in other cases.

§ 4. If any such board of park commissioners shall decide to defray the cost of any private property taken or damaged for any such widening by general taxation, or if the cost of any such private property shall be assessed in any special assessment proceeding against such board of park commissioners on account of public benefits, it shall have power to pay for such property by the issue and sale, from time to time, of interest-bearing bonds, in addition to the bonds now authorized by law: *Provided*, no bonds shall be issued under this Act contrary to the provisions of section 12, Article IX of the Constitution of this State; *And, provided further*, that the proposition to issue such bonds shall be submitted to a vote of the legal voters of the park district, in which the property shall be taxable for the maintenance of the park system under the control of such board of park commissioners, and shall receive a majority of the votes cast upon such proposition. Authority is hereby

granted to any such board of park commissioners issuing such bonds, to levy and collect a direct annual tax upon the property within its jurisdiction, in addition to the amount of any tax now authorized by law to be levied and collected by it, sufficient to pay the interest on such bonds as it falls due, and also to pay the principal thereof within twenty (20) years from the date of issuing such bonds, and on receiving a certificate from such board of park commissioners that the amount mentioned in such certificate is necessary to pay the interest on such bonds and also to pay the principal thereof within twenty (20) years from the date of issuing the same, the county clerk of the county in which such park district may be located, or such other officer or officers as may be authorized to spread or assess taxes for park purposes, shall spread and assess such amount upon the taxable property embraced in such park district, in the same manner that other park taxes are by law spread and assessed, and the same shall be collected and paid to such board of park commissioners in the same manner that other park taxes are required by law to be collected and paid.

APPROVED June 26, 1917.

PARTNERSHIPS.

UNIFORM ACT.

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| § 1. Uniform Partnership Act. | § 18. Rights and duties of partners inter se. |
| § 2. Terms defined. | § 19. Partnership books. |
| § 3. When a person has knowledge and notice. | § 20. Information must be furnished partner or legal representative. |
| § 4. Rules of construction. | § 21. Partner must account to partnership for profits derived in a partnership transaction. |
| § 5. Rules of law and equity to govern in certain cases. | § 22. When partner may have formal account of partnership affairs. |
| § 6. Definition of partnership. | § 23. When continuation of partnership is evidence. |
| § 7. Rules to determine whether or not a partnership exists. | § 24. Property rights of partner. |
| § 8. Partnership property. | § 25. Partnership property — rights of parties. |
| § 9. Authority of partner to bind the firm, etc. | § 26. Interest of partner. |
| § 10. Conveyance of partnership real estate. | § 27. Effect of conveyance of interest of partner. |
| § 11. Admission of partner. | § 28. Judgment—and decree of court. |
| § 12. Notice to partner is notice to partnership—exception. | § 29. Dissolution of partnership defined. |
| § 13. Liability of partnership for acts of partner. | § 30. Effect of dissolution. |
| § 14. Misapplication of property of third persons. | § 31. When dissolution is caused. |
| § 15. Joint liability of partners. | § 32. Decree of dissolution by court. |
| § 16. Liability for holding oneself out as a partner. | § 33. Dissolution terminates authority of partners to act for the partnership. |
| § 17. Liability of person admitted to partnership for past obligations. | |

UNIFORM ACT—Concluded.

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| § 34. Liability of partners inter'se, upon dissolution. | § 40. Settlement of accounts between partners. |
| § 35. Effect of dissolution upon power of partner to bind the firm. | § 41. Admission or retirement of partners. |
| § 36. Dissolution not to discharge liabilities of partners. | § 42. Continuation of business after death or retirement of partner. |
| § 37. Who may wind up partnership affairs. | § 43. Right to account on dissolution of partnership. |
| § 38. Application of partnership property to pay partnership debts. | § 44. Repeal. |
| § 39. Rights of partners upon rescission of partnership contract for fraud or misrepresentation. | |

(HOUSE BILL NO. 302. FILED JUNE 28, 1917.)

AN ACT *relating to partnerships and promote uniformity in the law with reference thereto.*

PART I.

PRELIMINARY PROVISIONS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* This Act may be cited as Uniform Partnership Act.

§ 2. In this Act "court" includes every court and judge having jurisdiction in the case.

"Business" includes every trade, occupation or profession.

"Person" includes individuals, partnerships, corporations, and other associations.

"Bankrupt" includes bankrupt under the Federal Bankruptcy Act or insolvent under any State insolvent Act.

"Conveyance" includes every assignment, lease, mortgage, or encumbrance.

"Real property" includes land and any interest or estate in land.

§ 3. (1) A person has "knowledge" of a fact within the meaning of this Act not only when he has actual knowledge thereof, but also when he has knowledge of such other facts as in the circumstances shows bad faith.

(2) A person has "notice" of a fact within the meaning of this Act when the person who claims the benefit of the notice

(a) States the fact to such person, or

(b) Delivers through the mail, or by other means of communication, a written statement of the fact to such person or to a proper person at his place of business or residence.

§ 4. (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act.

(2) The law of estoppel shall apply under this Act.

(3) The law of agency shall apply under this Act.

(4) This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(5) This Act shall not be construed so as to impair the obligations of any contract existing when the Act goes into effect, nor to affect any action or proceedings begun or right accrued before this Act takes effect.

§ 5. In any case not provided for in this Act the rules of law and equity, including the law merchant, shall govern.

PART II.

NATURE OF A PARTNERSHIP.

§ 6. (1) A partnership is an association of two or more persons to carry on as co-owners a business for profit.

(2) But any association formed under any other statute of this State, or any statute adopted by authority, other than the authority of this State, is not a partnership under this Act, unless such association would have been a partnership in this State prior to the adoption of this Act; but this Act shall apply to limited partnerships except in so far as the statutes relating to such partnerships are inconsistent herewith.

§ 7. In determining whether a partnership exists, these rules shall apply:

(1) Except as provided by section 16, persons who are not partners as to each other are not partners as to third persons.

(2) Joint tenancy, tenancy in common, tenancy by the entireties, joint property, common property, or part ownership does not of itself establish a partnership, whether such co-owners do or do not share any profits made by the use of the property.

(3) The sharing of gross returns does not of itself establish a partnership, whether or not the persons sharing them have a joint or common right or interest in any property from which the returns are derived.

(4) The receipt by a person of a share of the profits of a business is *prima facie* evidence that he is a partner in the business, but no such inference shall be drawn if such profits were received in payment:

(a) As a debt by installments or otherwise;

(b) As wages of an employee or rent to a landlord;

(c) As an annuity to a widow or representative of a deceased partner;

(d) As interest on a loan, though the amount of payment vary with the profits of the business;

(e) As the consideration for the sale of the good-will of a business or other property by installments or otherwise.

§ 8. PARTNERSHIP PROPERTY.] (1) All property originally brought into the partnership stock or subsequently acquired, by purchase or otherwise, on account of the partnership is partnership property.

(2) Unless the contrary intention appears, property acquired with partnership funds is partnership property.

(3) Any estate in real property may be acquired in the partnership name. Title so acquired can be conveyed only in the partnership name.

(4) A conveyance to a partnership in the partnership name, though without words of inheritance, passes the entire estate of the grantor unless a contrary intent appears.

PART III.

RELATIONS OF PARTNERS TO PERSONS DEALING WITH THE PARTNERSHIP.

§ 9. (1) Every partner is an agent of the partnership for the purpose of its business, and the act of every partner, including the execution in the partnership name of any instrument, for apparently carrying on in the usual way the business of the partnership of which he is a member binds the partnership, unless the partner so acting has in fact no authority to act for the partnership in the particular matter, and the person with whom he is dealing has knowledge of the fact that he has no such authority.

(2) An Act of a partner which is not apparently for the carrying on of the business of the partnership in the usual way does not bind the partnership unless authorized by the other partners.

(3) Unless authorized by the other partners or unless they have abandoned the business, one or more but less than all the partners have no authority to:

(a) Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership;

(b) Dispose of the good-will of the business;

(c) Do any other act which would make it impossible to carry on the ordinary business of the partnership;

(d) Confess a judgment;

(e) Submit a partnership claim or liability to arbitration or reference.

(4) No act of a partner in contravention of a restriction on his authority shall bind the partnership to persons having knowledge of the restriction.

§ 10. (1) Where title to real property is in the partnership name, any partner may convey title to such property by a conveyance executed in the partnership name; but the partnership may recover such property unless the partner's act binds the partnership under the provisions of paragraph (1) of section 9, or unless such property has been conveyed by the grantee or a person claiming through such grantee to a holder for value without knowledge that the partner, in making the conveyance, has exceeded his authority.

(2) Where title to real property is in the name of the partnership, a conveyance executed by a partner, in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section 9.

(3) Where title to real property is in the name of one or more but not all the partners, and the record does not disclose the right of the partnership, the partners in whose name the title stands may convey title to such property, but the partnership may recover such property if the partners' act does not bind the partnership under the provisions of para-

graph (1) of section 9, unless the purchaser or his assignee, is a holder for value, without knowledge.

(4) Where the title to real property is in the name of one or more or all the partners, or in a third person in trust for the partnership, a conveyance executed by a partner in the partnership name, or in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section 9.

(5) Where the title to real property is in the names of all the partners a conveyance executed by all the partners passes all their rights in such property.

§ 11. An admission or representation made by any partner concerning partnership affairs within the scope of his authority as conferred by this Act is evidence against the partnership.

§ 12. Notice to any partner of any matter relating to partnership affairs, and the knowledge of the partner acting in the particular matter, acquired while a partner or then present to his mind, and the knowledge of any other partner who reasonably could and should have communicated it to the acting partner, operate as notice to or knowledge of the partnership, except in the case of a fraud on the partnership committed by or with the consent of that partner.

§ 13. Where, by any wrongful act or omission of any partner acting in the ordinary course of the business of the partnership, or with the authority of his co-partners, loss or injury is caused to any person, not being a partner in the partnership, or any penalty is incurred, the partnership is liable therefor to the same extent as the partner so acting or omitting to act.

§ 14. The partnership is bound to make good the loss:

(a) Where one partner acting within the scope of his apparent authority receives money or property of a third person and misapplies it; and

(b) Where the partnership in the course of its business receives money or property of a third person and the money or property so received is misapplied by any partner while it is in the custody of the partnership.

§ 15. All partners are liable

(a) Jointly and severally for everything chargeable to the partnership under sections 13 and 14.

(b) Jointly for all other debts and obligations of the partnership; but any partner may enter into a separate obligation to perform a partnership contract.

§ 16. (1) When a person, by words spoken or written or by conduct, represents himself, or consents to another representing him to any one, as a partner in an existing partnership or with one or more persons not actual partners, he is liable to any such person to whom such representation has been made, who has, on the faith of such representation, given credit to the actual or apparent partnership, and if he has made such representation or consented to its being made in a public manner he is liable to such person, whether the representation has or has not been made or communicated to such person so giving credit by or

with the knowledge of the apparent partner making the representation or consenting to its being made.

(a) When a partnership liability results, he is liable as though he were an actual member of the partnership.

(b) When no partnership liability results, he is liable jointly with the other persons, if any, so consenting to the contract or representation as to incur liability, otherwise separately.

(2) When a person has been thus represented to be a partner in an existing partnership, or with one or more persons not actual partners, he is an agent of the persons consenting to such representation to bind them to the same extent and in the same manner as though he were a partner in fact, with respect to persons who rely upon the representation. Where all the members of the existing partnership consent to the representation, a partnership act or obligation results; but in all other cases it is the joint act or obligation of the person acting and the persons consenting to the representation.

§ 17. A person admitted as a partner into an existing partnership is liable for all the obligations of the partnership arising before his admission as though he had been a partner when such obligations were incurred, except that this liability shall be satisfied only out of partnership property.

PART IV.

RELATIONS OF PARTNERS TO ONE ANOTHER.

§ 18. The rights and duties of the partners in relation to the partnership shall be determined, subject to any agreement between them, by the following rules:

(a) Each partner shall be repaid his contribution, whether by way of capital or advances to the partnership property and share equally in the profits and surplus remaining after all liabilities, including those to partners, are satisfied; and must contribute towards the losses, whether of capital or otherwise, sustained by the partnership according to his share in the profits.

(b) The partnership must indemnify every partner in respect of payments made and personal liabilities reasonably incurred by him in the ordinary and proper conduct of its business, or for the preservation of its business or property.

(c) A partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance.

(d) A partner shall receive interest on the capital contributed by him only from the date when repayment should be made.

(e) All partners have equal rights in the management and conduct of the partnership business.

(f) No partner is entitled to remuneration for acting in the partnership business, except that a surviving partner is entitled to reasonable compensation for his services in winding up the partnership affairs.

(g) No person can become a member of a partnership without the consent of all the partners.

(h) Any difference arising as to ordinary matters connected with the partnership business may be decided by a majority of the partners; but no act in contravention of any agreement between the partners may be done rightfully without the consent of all the partners.

§ 19. The partnership books shall be kept, subject to any agreement between the partners, at the principal place of business of the partnership, and every partner shall at all times have access to and may inspect and copy any of them.

§ 20. Partners shall render on demand true and full information of all things affecting the partnership to any partner or the legal representative of any deceased partner or partner under legal disability.

§ 21. (1) Every partner must account to the partnership for any benefit, and hold as trustee for it any profits derived by him without the consent of the other partners from any transaction connected with the formation, conduct, or liquidation of the partnership or from any use by him of its property.

(2) This section applies also to the representatives of a deceased partner engaged in the liquidation of the affairs of the partnership as the personal representatives of the last surviving partner.

§ 22. Any partner shall have the right to a formal account as to partnership affairs:

(a) If he is wrongfully excluded from the partnership business or possession of its property by his co-partners,

(b) If the right exists under the terms of any agreement,

(c) As provided by section 21,

(d) Whenever other circumstances render it just and reasonable.

§ 23. (1) When a partnership for a fixed term or particular undertaking is continued after the termination of such term or particular undertaking without any express agreement, the rights and duties of the partners remain the same as they were at such termination, so far as is consistent with a partnership at will.

(2) A continuation of the business by the partners or such of them as habitually acted therein during the term, without any settlement or liquidation of the partnership affairs, is *prima facie* evidence of a continuation of the partnership.

PART V.

PROPERTY RIGHTS OF A PARTNER.

§ 24. The property rights of a partner are (1) his rights in specific partnership property, (2) his interest in the partnership, and (3) his right to participate in the management.

§ 25. (1) A partner is co-owner with his partners of specific partnership property holding as a tenant in partnership.

(2) The incidents of this tenancy are such that:

(a) A partner, subject to the provisions of this Act and to any agreement between the partners, has an equal right with his partners to possess specific partnership property for partnership purposes; but he has no right to possess such property for any other purpose without the consent of his partners.

(b) A partner's right in specific partnership property is not assignable except in connection with the assignment of the rights of all the partners in the same property.

(c) A partner's right in specific partnership property is not subject to attachment or execution, except on a claim against the partnership. When partnership property is attached for a partnership debt the partners, or any of them, or the representatives of a deceased partner, cannot claim any right under the homestead or exemption laws.

(d) On the death of a partner his right in specific partnership property vests in the surviving partner or partners, except where the deceased was the last surviving partner, when his right in such property vests in his legal representative. Such surviving partner or partners, or the legal representative of the last surviving partner, has no right to possess the partnership property for any but a partnership purpose.

(e) A partner's right in specific partnership property is not subject to dower, curtesy, or allowances to widows, heirs, or next of kin.

§ 26. A partner's interest in the partnership is his share of the profits and surplus, and the same is personal property.

§ 27. (1) A conveyance by a partner of his interest in the partnership does not of itself dissolve the partnership, nor, as against the other partners in the absence of agreement, entitle the assignee, during the continuance of the partnership, to interfere in the management or administration of the partnership business or affairs, or to require any information or account of partnership transactions, or to inspect the partnership books; but it merely entitles the assignee to receive in accordance with his contract the profits to which the assigning partner would otherwise be entitled.

(2) In case of a dissolution of the partnership, the assignee is entitled to receive his assignor's interest and may require an account from the date only of the last account agreed to by all the partners.

§ 28. (1) On due application to a competent court by any judgment creditor of a partner, the court which entered the judgment, order, or decree, or any other court, may charge the interest of the debtor partner with payment of the unsatisfied amount of such judgment debt with interest thereon; and may then or later appoint a receiver of his share of the profits, and of any other money due or to fall due to him in respect of the partnership, and make all other orders, directions, accounts and inquiries which the debtor partner might have made, or which the circumstances of the case may require.

(2) The interest charged may be redeemed at any time before foreclosure, or in case of a sale being directed by the court may be purchased without thereby causing a dissolution:

(a) With separate property, by any one or more of the partners, or

(b) With partnership property, by any one or more of the partners with the consent of all the partners whose interests are not so charged or sold.

(3) Nothing in this Act shall be held to deprive a partner of his right, if any, under the exemption laws, as regards his interest in the partnership.

PART VI.

DISSOLUTION AND WINDING UP.

§ 29. The dissolution of a partnership is the change in the relation of the partners caused by any partner ceasing to be associated in the carrying on as distinguished from the winding up of the business.

§ 30. On dissolution the partnership is not terminated, but continues until the winding up of partnership affairs is completed.

§ 31. Dissolution is caused:

(1) Without violation of the agreement between the partners,
(a) By the termination of the definite term or particular undertaking specified in the agreement,

(b) By the express will of any partner when no definite term or particular undertaking is specified,

(c) By the express will of all the partners who have not assigned their interests or suffered them to be charged for their separate debts, either before or after the termination of any specified term or particular undertaking,

(d) By the expulsion of any partner from the business *bona fide* in accordance with such a power conferred by the agreement between the partners;

(2) In contravention of the agreement between the partners, where the circumstances do not permit a dissolution under any other provision of this section, by the express will of any partner at any time;

(3) By any event which makes it unlawful for the business of the partnership to be carried on or for the members to carry it on in partnership;

(4) By the death of any partner;

(5) By the bankruptcy of any partner or the partnership;

(6) By decree of court under section 32.

§ 32. (1) On application by or for a partner the court shall decree a dissolution whenever:

(a) A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind,

(b) A partner becomes in any other way incapable of performing his part of the partnership contract,

(c) A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business,

(d) A partner wilfully or persistently commits a breach of the partnership or agreement, or otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him,

(e) The business of the partnership can only be carried on at a loss.

(f) Other circumstances render a dissolution equitable.

(2) On the application of the purchaser of a partner's interest under sections 28 or 29:

(a) After the termination of the specified term or particular undertaking,

(b) At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

§ 33. Except so far as may be necessary to wind up partnership affairs or to complete transactions begun but not then finished, dissolution terminates all authority of any partner to act for the partnership,

(1) With respect to the partners,

(a) When the dissolution is not by the act, bankruptcy or death of a partner; or

(b) When the dissolution is by such act, bankruptcy or death of a partner, in cases where section 34 so requires.

(2) With respect to persons not partners, as declared in section 35.

§ 34. Where the dissolution is caused by the act, death or bankruptcy of a partner, each partner is liable to his co-partners for his share of any liability created by any partner acting for the partnership as if the partnership had not been dissolved unless

(a) The dissolution being by act of any partner, the partner acting for the partnership had knowledge of the dissolution, or

(b) The dissolution being by the death or bankruptcy of a partner, the partner acting for the partnership had knowledge or notice of the death or bankruptcy.

§ 35. (1) After dissolution a partner can bind the partnership except as provided in paragraph (3)

(a) By any act appropriate for winding up partnership affairs or completing transactions unfinished at dissolution,

(b) By any transaction which would bind the partnership if dissolution had not taken place, provided the other party to the transaction

(I) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of the dissolution; or

(II) Though he had not so extended credit, had nevertheless known of the partnership prior to dissolution, and, having no knowledge or notice of dissolution, the fact of dissolution had not been advertised in a newspaper of general circulation in the place (or in each place if more than one) at which the partnership business was regularly carried on.

(2) The liability of a partner under paragraph (1b) shall be satisfied out of partnership assets alone when such partner had been prior to dissolution

(a) Unknown as a partner to the person with whom the contract is made; and

(b) So far unknown and inactive in partnership affairs that the business reputation of the partnership could not be said to have been in any degree due to his connection with it.

(3) The partnership is in no case bound by any act of a partner after dissolution

(a) Where the partnership is dissolved because it is unlawful to carry on the business, unless the act is appropriate for winding up partnership affairs; or

(b) Where the partner has become bankrupt; or

(c) Where the partner has no authority to wind up partnership affairs, except by a transaction with one who

(I) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of his want of authority; or

(II) Had not extended credit to the partnership prior to dissolution, and, having no knowledge or notice of his want of authority, the fact of his want of authority has not been advertised in the manner provided for advertising the fact of dissolution in paragraph (1b II).

(4) Nothing in this section shall affect the liability under section 16 of any person who after dissolution represents himself or consents to another representing him as a partner in a partnership engaged in carrying on business.

§ 36. (1) The dissolution of the partnership does not of itself discharge the existing liability of any partner.

(2) A partner is discharged from any existing liability upon dissolution of the partnership by an agreement to that effect between himself, the partnership creditor and the person or partnership continuing the business; and such agreement may be inferred from the course of dealing between the creditor having knowledge of the dissolution and the person or partnership continuing the business.

(3) Where a person agrees to assume the existing obligations of a dissolved partnership, the partners whose obligations have been assumed shall be discharged from any liability to any creditor of the partnership who, knowing of the agreement, consents to a material alteration in the nature or time of payment of such obligations.

(4) The individual property of a deceased partner shall be liable for all obligations of the partnership incurred while he was a partner but subject to the prior payment of his separate debts.

§ 37. Unless otherwise agreed the partners who have not wrongfully dissolved the partnership or the legal representative of the last surviving partner, not bankrupt, has the right to wind up the partnership affairs: *Provided, however*, that any partner, has legal representative, or his assignee, upon cause shown, may obtain winding up by the court.

§ 38. (1) When dissolution is caused in any way, except in contravention of the partnership agreement, each partner, as against his co-partners and all persons claiming through them in respect of their interests in the partnership, unless otherwise agreed, may have the partnership property applied to discharge its liabilities, and the surplus applied to pay in cash the net amount owing to the respective partners. But if dissolution is caused by expulsion of a partner, *bona fide* under the partnership agreement, and if the expelled partner is discharged from all partnership liabilities, either by payment or agreement under section 36 (2), he shall receive in cash only the net amount due him from the partnership.

(2) When dissolution is caused in contravention of the partnership agreement the rights of the partners shall be as follows:

(a) Each partner who has not caused dissolution wrongfully shall have,

I. All the rights specified in paragraph (1) of this section, and

II. The right, as against each partner who has caused the dissolution wrongfully, to damages for breach of the agreement.

(b) The partners who have not caused the dissolution wrongfully, if they all desire to continue the business in the same name, either by themselves or jointly with others, may do so, during the agreed term for the partnership and for that purpose may possess the partnership property, provided they secure the payment by bond approved by the court, or pay to any partner who has caused the dissolution wrongfully, the value of his interest in the partnership at the dissolution, less any damages recoverable under clause (2a II) of this section, and in like manner indemnify him against all present or future partnership liabilities,

(c) A partner who has caused the dissolution wrongfully shall have:

I. If the business is not continued under the provisions of paragraph (2b) all the rights of a partner under paragraph (1), subject to clause (2a II), of this section,

II. If the business is continued under paragraph (2b) of this section the right as against his co-partners and all claiming through them in respect of their interests in the partnership, to have the value of his interest in the partnership, less any damages caused to his co-partners by the dissolution, ascertained and paid to him in cash, or the payment secured by bond approved by the court, and to be released from all existing liabilities of the partnership; but in ascertaining the value of the partner's interest the value of the good-will of the business shall not be considered.

§ 39. Where a partnership contract is rescinded on the ground of the fraud or misrepresentation of one of the parties thereto, the party entitled to rescind is, without prejudice to any other right, entitled,

(a) To a lien on, or right of retention of, the surplus of the partnership property after satisfying the partnership liabilities to third persons for any sum of money paid by him for the purchase of an interest in the partnership and for any capital or advances contributed by him; and

(b) To stand, after all liabilities to third persons have been satisfied, in the place of the creditors of the partnership for any payments made by him in respect of the partnership liabilities; and

(c) To be indemnified by the person guilty of the fraud or making the representation against all debts and liabilities of the partnership.

§ 40. In settling accounts between the partners after dissolution, the following rules shall be observed, subject to any agreement to the contrary:

(a) The assets of the partnership are;

I. The partnership property,

II. The contributions of the partners necessary for the payment of all the liabilities specified in clause (b) of this paragraph.

(b) The liabilities of the partnership shall rank in order of payment, as follows:

I. Those owing to creditors other than partners,

II. Those owing to partners other than for capital and profits,

III. Those owing to partners in respect of capital,

IV. Those owing to partners in respect of profits.

(c) The assets shall be applied in the order of their declaration in clause (a) of this paragraph to the satisfaction of the liabilities.

(d) The partners shall contribute, as provided by section 18 (a) the amount necessary to satisfy the liabilities; but if any, but not all, of the partners are insolvent, or, not being subject to process, refuse to contribute, the other partners shall contribute their share of the liabilities, and, in the relative proportions in which they share the profits, the additional amount necessary to pay the liabilities.

(e) An assignee for the benefit of creditors or any person appointed by the court shall have the right to enforce the contributions specified in clause (d) of this paragraph.

(f) Any partner or his legal representative shall have the right to enforce the contributions specified in clause (d) of this paragraph, to the extent of the amount which he has paid in excess of his share of the liability.

(g) The individual property of a deceased partner shall be liable for the contributions specified in clause (d) of this paragraph.

(h) When partnership property and the individual properties of the partners are in the possession of a court for distribution, partnership creditors shall have priority on partnership property and separate creditors on individual property, saving the rights of lien or secured creditors as heretofore.

(i) Where a partner has become bankrupt or his estate is insolvent the claims against his separate property shall rank in the following order:

I. Those owing to separate creditors,

II. Those owing to partnership creditors,

III. Those owing to partners by way of contribution.

§ 41. (1) When any new partner is admitted into an existing partnership, or when any partner retires and assigns (or the representative of the deceased partner assigns) his rights in partnership property to two or more of the partners, or to one or more of the partners and one or more third persons, if the business is continued without liquidation of the partnership affairs, creditors of the first or dissolved partnership are also creditors of the partnership so continuing the business.

(2) When all but one partner retire and assign (or the representative of a deceased partner assigns) their rights in partnership property to the remaining partner, who continues the business without liquidation of partnership affairs, either alone or with others, creditors of the dissolved partnership are also creditors of the person or partnership so continuing the business.

(3) When any partner retires or dies and the business of the dissolved partnership is continued as set forth in paragraphs (1) and (2) of this section, with the consent of the retired partners or the representative of the deceased partner, but without any assignment of his right in partnership property, rights of creditors of the dissolved partnership and of the creditors of the person or partnership continuing the business shall be as if such assignment had been made.

(4) When all the partners or their representatives assign their rights in partnership property to one or more third persons who promise to pay the debts and who continue the business of the dissolved partnership, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(5) When any partner wrongfully causes a dissolution and the remaining partners continue the business under the provisions of section 38 (2b), either alone or with others, and without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(6) When a partner is expelled and the remaining partners continue the business either alone or with others, without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(7) The liability of a third person becoming a partner in the partnership continuing the business, under this section to the creditors of the dissolved partnership shall be satisfied out of partnership property only.

(8) When the business of a partnership after dissolution is continued under any conditions set forth in this section the creditors of the dissolved partnership, as against the separate creditors of the retiring or deceased partner or the representative of the deceased partner, have a prior right to any claim of the retired partner or the representative of the deceased partner against the person or partnership continuing the business, on account of the retired or deceased partner's interest in the dissolved partnership or on account of any consideration promised for such interest or for his right in partnership property.

(9) Nothing in this section shall be held to modify any right of creditors to set aside any assignment on the ground of fraud.

(10) The use by the person or partnership continuing the business of the partnership name, or the name of a deceased partner as part thereof, shall not of itself make the individual property of the deceased partner liable for any debts contracted by such person or partnership.

§ 42. When any partner retires or dies, and the business is continued under any of the conditions set forth in section 41 (1, 2, 3, 5, 6,) or section 38 (2b), without any settlement of accounts as between him or his estate and the person or partnership continuing the business, unless otherwise agreed, he or his legal representative as against such persons or partnership may have the value of his interest at the date of dissolution ascertained, and shall receive as an ordinary creditor an amount equal to the value of his interest in the dissolved partnership with interest, or, at his option or at the option of his legal representative, in lieu of interest, the profits attributable to the use of his right in the property of the dissolved partnership: *Provided*, that the creditors of the dissolved partnership as against the separate creditors, or the representative of the retired or deceased partner, shall have priority on any claim arising under this section, as provided by section 41 (8) of this Act.

§ 43. The right to an account of his interest shall accrue to any partner, or his legal representative, as against the winding up partners

or the surviving partners or the person or partnership continuing the business, at the date of dissolution, in the absence of any agreement to the contrary.

PART VII.

MISCELLANEOUS PROVISIONS.

§ 44. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

PAUPERS.

AMENDING LAW RELATING TO PAUPERS.

§ 1. Amends section 28, Act of 1874.

§ 28. (1) Counties empowered to contract jointly for the erection of poor houses— (3) poor farms not to be rented to detriment of inmates — (8) approval of each county board necessary for establishment of joint poor farm — method of abandonment.

(SENATE BILL NO. 365. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled "*An Act to revise the law in relation to paupers,*" approved March 23, 1874, in force July 1, 1874, as subsequently amended, by amending section twenty-eight thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to revise the law in relation to paupers,*" approved March 23, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by amending section twenty-eight (28) thereof, to read as follows:

§ 28. The county board of any county in this State in which the poor are not supported by the towns thereof, as provided by law, shall have power

(1) To acquire in the name of the county by purchase, grant, gift or devise, a suitable tract or tracts of land upon which to erect and maintain a county poor house and other necessary buildings in connection therewith, and for the establishment and maintenance of a farm for the employment of the poor, and to erect and maintain such buildings and establish and maintain such farm, but they shall not expend for the purchase of any such land or the erection of any such buildings, a sum exceeding three thousand (\$3,000.00) dollars, without a two-thirds majority vote of all the members of the county board.

Any such county shall have power by contract with another county or counties, to jointly secure by purchase or otherwise, necessary lands,

and erect and maintain a poor house and other necessary buildings for the maintenance of the poor of such counties.

(2) To receive in the name of the county gifts, devises and bequests to aid in the erection or maintenance of the poor house, or in the care and support of poor and indigent persons.

(3) To make all proper rules and regulations for the management of the county poor house and poor farm and of the inmates of the poor house. *Provided*, that no such poor farm shall be let or rented upon the principle of the highest bid for the use of the land and the lowest bid for the maintenance of the county charges or upon any plan which may tend to the detriment or neglect of the inmates or the waste or deterioration of the property, but shall be conducted by the county only through its officers, agents or representatives.

(4) To appoint a keeper of the poor house and all necessary agents and servants for the management and control of the poor house and farm and prescribe their compensation and duties.

(5) To appoint a county physician and prescribe his compensation and duties.

(6) To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor and prescribe his compensation and duties.

(7) To make all proper and necessary appropriations out of the county treasury for the purchase of land and the erection of buildings, as authorized by this Act, and to defray the expenses necessary in the care and maintenance of the same and for the support of the poor, and to cause an amount sufficient for said purposes to be levied upon the taxable property of the county and collected as other taxes.

(8) Upon the vote of a two-thirds majority of all the members of the board to sell and dispose of the whole or any part of the poor farm of the county in such manner and upon such terms as they may deem best for the interest of the county, and to make and execute all necessary conveyances thereof, in the same manner as other conveyances of real estate may be made by a county.

In case of the establishment and maintenance of a joint poor farm, the approval of the county board of each county shall be necessary for action under any provisions of this section.

Such joint poor farm may be dissolved or abandoned by agreement of the counties interested, or upon petition to the County Court, upon such terms as are equitable and just to the counties concerned.

APPROVED June 22, 1917.

PENITENTIARIES.

EMPLOYMENT OF CONVICTS.

- § 1. As amended, convicts may be employed in manufacture of crushed rock and other road material.
- § 2. As amended, surplus, cement, crushed rock and other road material may be sold.
- § 3. As amended, title of Act includes preparing of cement, crushed rock, etc.

(SENATE BILL NO. 159. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act authorizing and empowering the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois in the manufacture of tile and culvert pipe for road drainage purposes, and in the manufacture of machinery, tools and appliances for the building, maintaining and repairing of the wagon roads of the State and for preparing road building and ballasting material, upon the requisition of the State Highway Commission," approved May 18, 1905, in force July 1, 1905, by amending the title and by amending sections one (1) and two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act authorizing and empowering the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois in the manufacture of tile and culvert pipe for road drainage purposes, and in the manufacture of machinery, tools and appliances for the building, maintaining and repairing [repairing] of the wagon roads of the State and for preparing road building and ballasting material, upon the requisition of the State Highway Commission," approved May 18, 1905, in force July 1, 1905, be, and the same is hereby amended by amending the title and by amending sections one (1) and two (2) to read as inserted at length herein.

§ 1. The Department of Public Welfare of the State of Illinois is authorized and empowered, to employ convicts and prisoners in the penal and reformatory institutions of the State, in the manufacture of tile and culvert pipe suitable for draining the wagon roads of the State, and in the preparation of road building and ballasting material, including cement, crushed rock, and any and all other road building material. Such tile[,], culvert pipe, cement, crushed rock, road building and ballasting material to be furnished free for use on the State aid roads of the State. Said convicts and prisoners may also be employed in the manufacture of road machinery, tools and necessary appliances for the building, maintaining and repairing of the wagon roads of the State; such tile, culvert pipe, road building and ballasting materials, road machinery, tools, appliances, to be placed upon railroad cars and forwarded to proper destinations, to be used as hereinafter provided.

§ 2. The commissioners of highways, in any township in counties under township organization, or the commissioners of highways or boards of county commissioners in counties not under township organization, may make application to the State Highway Commission for such road

building material, tile, culvert pipe, cement, crushed rock and other road building material, road making machinery, tools and other appliances, as may be needed or required by them for the construction, improvement or repairing of the wagon roads in their respective townships or road districts, and where, by agreement of the commissioners of highways, in counties under township organization, or the commissioners of highways or boards of county commissioners in counties not under township organization, as the case may be, with the city council of any city, or the board of trustees of any village, within the limits of such town, any gravel, rock, macadam or other hard road is extended within or through the corporate limits of such city or village, then for the construction, improvement or repairing of so much of said road as lies within the corporate limits of such city or village, *Provided* such extension within such city or village shall be of the same cost and kind of material as the road outside such city or village, obligating themselves to use such material, according to rules and regulations formulated and approved by the State Highway Commission. Any surplus of road building materials, prepared by such convicts or prisoners, may be sold to counties, cities, towns and villages of the State, for road and street purposes, at cost.

§ 3. The title of this Act is hereby amended to read as follows: "An Act authorizing and empowering the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois, in the manufacture of tile and culvert pipe for road drainage purposes, the preparation of cement, crushed rock and other road building and ballasting materials, the manufacture of machinery, tools and appliances for the building, maintaining and repairing of the wagon roads of the State.

APPROVED June 26, 1917.

PENSIONS.

ILLINOIS PENSION LAWS COMMISSION.

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| § 1. Creates Pension Laws Commission
—appointment and qualifications. | § 3. Powers of commission. |
| § 2. Duty of commission—report. | § 4. Expenses and per diem—how paid. |

(SENATE BILL No. 349. APPROVED JUNE 14, 1917.)

AN ACT *providing for the creation of a commission to be known as the Illinois Pension Laws Commission, and defining the powers and duties of such commission.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby created a commission to be known as the Illinois Pension Laws Commission, to consist of four members, one of whom shall be a representative of one of the public pension funds of this State heretofore created by law, the other three of whom shall be persons not interested in any of the said pension funds and one of whom shall be a person versed in financial affairs, one a person of actuarial experience, and one a person of legal

attainments who shall be chairman of the commission, all of whom shall be appointed by the Governor to hold office as members of said commission until the convening of the Fifty-first General Assembly, at which time said commission shall go out of existence.

§ 2. It shall be the duty of said commission to further investigate the operation of all pension laws heretofore enacted in this State; to gather all further available information as to the present and probable future cost of maintaining the funds created by said laws and to collect all further available information in regard to the operation of similar laws in other states and countries. The commission shall report the results of its investigations together with any recommendations it may see fit to make, to the Governor not later than December first, 1918, for transmission to the Fifty-first General Assembly.

§ 3. The commission shall have power to call upon the Insurance Department and all other departments of this State for such assistance as it may require, and to employ one or more actuaries, a clerk, a stenographer, and such other assistance as it may require. It shall also have power to examine the books of all present public pension funds now existing by law, to compel the production of all books and papers belonging to any of said funds, to administer oaths and to take the testimony of all witnesses necessary for the purposes of this Act.

§ 4. The expense of said commission, including a reasonable per diem to the members thereof not to exceed ten dollars per day for time actually spent in such investigation, shall be paid out of funds to be appropriated for that purpose upon vouchers drawn upon the Auditor of Public Accounts, properly itemized and certified to by the chairman of the commission and approved by the Governor.

APPROVED June 14, 1917.

PLATS.

PLATS—VACATION.

§ 1. Amends section 6, Act of 1874.

§ 6. Vacation of plat — approval or rejection.

(SENATE BILL NO. 162. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled: "*An Act to revise the law in relation to plats,*" approved March 21, 1874, in force July 1, 1874, as subsequently amended, by amending section six (6) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act to revise the law in relation to plats,*" approved March 21, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended by amending section six (6) thereof; so that the said section when amended, shall read as follows:

§ 6. Any such plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated. Such instrument shall be approved by the city council or village

or county board (as the case may be) in like manner as plats of subdivisions. Such council or board may reject any such instrument which abridges or destroys any public rights in any of its streets or alleys. Such instrument shall be executed, acknowledged or proved, and recorded in like manner as plats of subdivisions; and being duly recorded, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described in such plat. When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

APPROVED June 22, 1917.

PRACTICE.

SERVICE OF PROCESS—NON-RESIDENTS.

§ 1. Amends section 13, Act of 1872.

§ 13. Provides that thirty days must intervene.

(HOUSE BILL No. 771. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to regulate the practice in courts of chancery*," approved March 15, 1872, in force July 1, 1872, as subsequently amended, by amending section 13 thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "*An Act to regulate the practice in courts of chancery*," approved March 15, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended by amending section 13 thereof to read as follows:

§ 13. The notice required in the preceding section may be given at any time after the commencement of the suit, and shall be published at least once in each week for four successive weeks, and no default or proceeding shall be taken against any defendant not served with summons, or a copy of the bill, and not appearing, unless thirty days shall intervene between the first publication, as aforesaid, and the first day of the term at which such default or proceeding is proposed to be taken.

APPROVED June 26, 1917.

PUBLIC UTILITIES.

PUBLIC UTILITIES ACT.

§ 1. Amends section 28, Act of 1913.

§ 28. Foreign corporation — license — telegraph and telephone companies excepted.

(HOUSE BILL No. 171. APPROVED JUNE 26, 1917.)

AN ACT to amend section 28 of an Act entitled, "*An Act to provide for the regulation of public utilities*," approved June 30, 1913, in force January 1, 1914.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 28 of an Act of the

General Assembly entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, be and the same is hereby amended so as to read as follows:

§ 28. No franchise, license, permit or right to own, operate, manage or control any public utility, except common carriers engaged in interstate commerce and except telegraph or telephone companies engaged in interstate commerce, shall be hereafter granted or transferred to any grantee or transferee other than a corporation duly incorporated under the laws of this State.

No public utility shall be in any manner exempt from the provisions of this Act because or by virtue of the fact that it may be or may have been incorporated or organized under the laws of another state, or of the United States, or of a foreign country.

APPROVED June 26, 1917.

RAILROAD CROSSINGS.

§ 1. Amends section 58, Act of 1913.

§ 58. Control of by the State
Public Utilities Commission.

(SENATE BILL NO. 408. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as subsequently amended, by amending section fifty-eight (58) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as subsequently amended, be, and the same is hereby amended by amending section fifty-eight (58) thereof to read as inserted at length herein.

§ 58. No public road, highway or street shall hereafter be constructed across the track of any railroad company at grade, nor shall the track of any railroad company be constructed across a public road, highway or street at grade, nor shall the track of any railroad company be constructed across the track of any other railroad or street railroad company at grade, nor shall the track of a street railroad company be constructed across the track of a railroad company at grade, without having first secured the permission of the commission: *Provided*, that this section shall not apply to the replacement of lawfully existing roads, highways and tracks. The commission shall have the right to refuse its permission or to grant it upon such terms and conditions as it may prescribe. The commission shall have power to determine and prescribe the manner, including the particular point of crossing, and the terms of installation, operation, maintenance, use and protection of each such grade crossing.

The commission shall also have power, after a hearing, to alter or abolish any grade crossing, heretofore or hereafter established, when in its opinion the public safety requires such alteration or abolition; or to require a separation of grades at such crossing; or to require a separation of grades at any proposed crossing where a proposed public highway may cross the tracks of any railroad or railroads; and to prescribe, after a

hearing of the parties, the terms upon which such separation shall be made and the proportions in which the expense of the alteration or abolition of such crossings or the separation of such grades shall be divided between the railroad or street railroad companies affected, or between such companies and the state, county, municipality or other public authority in interest; *Provided*, that nothing in this Act shall be construed to repeal an Act in relation to the crossing of one railroad by another, approved May 25, 1907, and in force July 1, 1907.

The commission shall also have power by its order to require the reconstruction, alteration, relocation or improvement of any crossing (including the necessary highway approaches thereto) of any railroad across any highway or public road, whether such crossing be at grade or by overhead structure or by subway, whenever the commission finds after a hearing that such reconstruction, alteration, relocation or improvement is necessary to preserve or promote the safety of the public or of the employees or passengers of such railroad. By its original order or supplemental orders in such case, the commission may direct such reconstruction, alteration, relocation or improvement to be made in such manner and upon such terms and conditions as may be reasonable and necessary, and may apportion the cost of such reconstruction, alteration, relocation or improvement between the railroad company or companies and other public utilities affected, or between such company or companies and other public utilities and the State, county, municipality, or other public authority in interest. The cost to be so apportioned shall include the cost of changes or alterations in the equipment of other public utilities affected as well as the cost of the relocation, diversion or establishment of any public highway, made necessary by such reconstruction, alteration, relocation or improvement of said crossing.

Whenever the commission, after a hearing, shall find it necessary for the reconstruction, alteration, relocation or improvement of any such crossing or its necessary approaches as aforesaid, or for the abolishment of any such crossing, to relocate, divert or establish any highway or public road, or to acquire additional property for any such purpose, it may direct the railroad company or companies to acquire, and the railroad company or companies shall acquire, the necessary additional property for such purposes by purchase or, when the price to be paid cannot be agreed upon with the owner thereof, in the manner provided by the law of eminent domain; or the commission may certify such finding to the highway commissioners of the town or road district concerned. Every railroad company operating in the State of Illinois shall construct and maintain every highway grade crossing over its tracks within the State so that the roadway at the intersection shall be flush with the rails, and, unless otherwise ordered by the commission, shall construct and maintain the approaches thereto at a grade of not more than five (5) per cent within the right-of-way for a distance of not less than twenty-five (25) feet on each side of such tracks; *provided* that the grades at the approaches may be maintained in excess of five (5) per cent only when authorized by the commission.

Every railroad operating within the State of Illinois shall remove from its rights of way at all grade crossings within the State, all brush,

shrubbery and trees for a distance of not less than five hundred feet (500) in either direction from each grade crossing.

On or before December 1, 1918, every railroad operating within the State of Illinois shall furnish, erect and thereafter maintain in a conspicuous place at every grade crossing on its lines in this State outside of incorporated cities and villages, on both sides of the tracks except when otherwise ordered and at such points as directed by the Public Utilities Commission, within the right-of-way of such railroad, at grade crossings not designated as extra hazardous by the commission such standard signs as the Public Utilities Commission shall determine.

At all such grade crossings in the State as may be designated by the commission as extra hazardous, but at no others, every railroad operating within the State of Illinois shall, within thirty days after the issuance of an order by the Public Utilities Commission directing it so to do, erect and thereafter maintain such standard stop signs as said commission shall determine are necessary, *provided* that no such stop shall be ordered or permitted by the commission where there is a clear view from the highway of approaching trains on such railroad trucks [tracks] for at least five hundred feet (500) in each direction from the crossing at all points on the highway within a distance of two hundred (200) feet of such crossing. The commission shall have power to require such signs to be lighted at night or to be accompanied by red warning lights whenever in the opinion of the commission such additional precautions are reasonably necessary for the public safety.

Any person who unlawfully removes, throws down, injures or defaces any sign required in this section, shall be liable to a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

STOCKS AND BONDS—CAPITALIZATION—INTERCORPORATE RELATIONS —FRANCHISE—VALUATION.

§ 1. Amends section 31, Article III, Act of 1913.

§ 31. Fees for issuance of stocks and bonds.

(SENATE BILL NO. 384. FILED JUNE 29, 1917.)

AN ACT to amend section 31 of article 3 of an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 31 of Article 3 of an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, be, and the same is hereby amended so as to read as follows:

§ 31. FEES FOR THE ISSUANCE OF BONDS. The commission shall charge every public utility receiving permission under this Act for the issue of bonds, notes and other evidences of indebtedness, an amount equal to ten cents for every hundred dollars of such securities author-

ized by the commission, and the same shall be paid into the State treasury before any such securities shall be issued. *Provided* that no public utility shall be required to pay any fee for permission granted to it by any such commission in any of the following cases:

(1) To guarantee bonds or other securities.

(2) To issue bonds, notes or other evidences of indebtedness issued for the purpose of converting, exchanging, taking over, refunding, discharging or retiring any bonds, notes or other evidences of indebtedness except:

(a) When issued for an aggregate period of longer than two years for the purpose of converting, exchanging, taking over, refunding, discharging or retiring any note, or renewals thereof, issued without the consent of such State Public Utilities Commission of Illinois or such Public Utilities Commission.

(b) When issued for the purpose of converting, exchanging, taking over, refunding, discharging or retiring bonds, notes or other evidences of indebtedness issued prior to January 1, 1914, and upon which no fee has been previously paid.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

RAILROADS AND WAREHOUSES.

SAFETY APPLIANCES.

§ 1. Amends section 6, Act of 1905.

§ 6. Exemptions—penalty.

(SENATE BILL No. 353. FILED JUNE 29. 1917.)

AN ACT to amend section 6 of "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in moving traffic by railroad between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving wheel brakes, and for other purposes," approved May 12, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 6 of an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in moving traffic by railroad between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving wheel brakes, and for other purposes," approved May 12, 1905, in force July 1, 1905, be and hereby is amended so as to read as follows:

§ 6. That any such common carrier using any locomotive, or tender running any train, or hauling or permitting to be hauled or used on its lines any car, or similar vehicle, in violation of any of the provisions of this Act shall be liable to a penalty of one hundred dollars for each and every such violation to be recovered in a suit or suits to be brought by the State's attorney in the Circuit Court of the county having jurisdiction in the locality where such violation shall have occurred; and it

shall be the duty of such State's attorney to bring such suits upon duly verified information being lodged with him of such violation having occurred; and it shall be the duty of the State Public Utilities Commission of Illinois to lodge with the proper State's attorneys information of any such violations as may come to its knowledge; *Provided*, that nothing in this Act contained shall apply to trains composed of four wheel cars or to trains composed of eight wheel standard logging cars, where the height of such car from the tops of the rails to the center of the couplings does not exceed twenty-five inches, or to locomotives used in hauling such trains when such cars or locomotives are exclusively used for the transportation of logs, or to street cars, or to trains, locomotives, tenders, cars and similar vehicles used in interstate commerce; *And provided* that nothing in this Act contained, except as to the requirements of section 2 of this Act shall apply to locomotives operated on any narrow gauge surface railway which does not interchange cars with any connecting railway, or to four wheel cars having a capacity of not to exceed eight tons, or trains composed of such cars, operated on such narrow gauge railway.

And provided further that nothing in this Act contained shall in any manner affect the power, authority and jurisdiction of the State Public Utilities Commission of Illinois to make and enforce any orders, rules or regulations it may now or at any time be authorized by law to make or enforce with regard to the health and safety of the employees, passengers and customers of such railway or the public.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

UNIFORM COLD STORAGE ACT.

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| § 1. Definitions. | § 8. Storage limited to 12 months — special permit — Director of Agriculture to order food removed for enumerated reasons. |
| § 2. Cold storage warehouses to be licensed by Department of Agriculture. | § 9. Goods offered for sale to be marked "cold storage goods." |
| § 3. Revocation of license on account of unsanitary conditions. | § 10. Goods not to be returned to storage or transferred. |
| § 4. Records to be kept of food stored and reports to be filed with Department of Agriculture. | § 11. Department of Agriculture to establish rules. |
| § 5. Department of Agriculture to supervise cold storage warehouses and inspect food. | § 12. Penalties. |
| § 6. Food unfit for human consumption not to be kept — food not for human consumption to be so marked. | § 13. Construction of Act. |
| § 7. No cold storage warehouse to accept food for storage unless marked with date—to be marked with date of removal. | § 14. To be cited as Uniform Cold Storage Act. |
| | § 15. Repeals. |

(HOUSE BILL NO. 223. FILED JUNE 28, 1917.)

AN ACT to regulate cold storage of certain articles of food.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: For the purpose of this Act,*

“cold storage” shall mean the storage or keeping of articles of food at or below a temperature above zero of 45 degrees Fahrenheit in a cold storage warehouse; “cold storage warehouse” shall mean any place artificially cooled to or below a temperature above zero of 45 degrees Fahrenheit, in which articles of food are placed and held for thirty days or more; “article of food” shall mean fresh meat and fresh meat products and all fish, game, poultry, eggs and butter.

§ 2. No person, firm or corporation shall maintain or operate a cold storage warehouse without a license so to do issued by the Department of Agriculture. And person, firm or corporation desiring such a license shall make written application to the Department of Agriculture for that purpose, stating the location of the warehouse. The Department of Agriculture thereupon shall cause an examination to be made of said warehouse and, if it be found by him to be in a proper sanitary condition and otherwise properly equipped for its intended use, he shall issue a license authorizing the applicant to operate the same as a cold storage warehouse during one year. The license shall be issued upon payment of the applicant of a license fee of \$25.00 per annum to the Department of Agriculture.

§ 3. In case any cold storage warehouse, or any part thereof, shall at any time be deemed by the Department of Agriculture, to be in an unsanitary condition, or not properly equipped for its intended use, he shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition or to properly equip the same for its intended use, within a time to be designated by the Department of Agriculture, he shall revoke such license.

§ 4. Every such licensee shall keep accurate records of the articles of food received in and of the articles of food withdrawn from his cold storage warehouse, and the Department of Agriculture shall have free access to such records at any time. Every such licensee shall submit a monthly report to the Department of Agriculture, setting forth in itemized particulars the quantities and kinds of articles of food in his cold storage warehouse. Such monthly reports shall be filed on or before the fifth day of each month, and the reports so rendered shall show the conditions existing on the last day of the preceding month reported and a summary of such reports shall be prepared by the Department of Agriculture and shall be open to public inspection on or before the tenth day of each month.

§ 5. The Department of Agriculture shall inspect and supervise all cold storage warehouses and make such inspection of articles of food therein as he may deem necessary to secure the proper enforcement of this Act, and he shall have access to all cold storage warehouses at all reasonable times. The Department of Agriculture may appoint such persons as he deems qualified to make any inspection under this Act.

§ 6. No article of food intended for human consumption shall be placed, knowingly, received or kept in any cold storage warehouse, if diseased, tainted, otherwise unfit for human consumption, or in such condition that it will not keep wholesome for human consumption. No article of food, for use other than for human consumption, shall be

placed, received or kept in any cold storage warehouse unless previously marked, in accordance with forms to be prescribed by the Department of Agriculture, in such a way as to indicate plainly the fact that such article of food is not to be sold or used for human food.

§ 7. No person, firm or corporation shall place, receive or keep in any cold storage warehouse in this State articles of food unless the same shall be plainly marked, stamped or tagged, either upon the container in which they are packed, or upon the article of food itself, with the date when placed therein; and no person, firm or corporation shall remove, or allow to be removed, such article of food from any cold storage warehouse unless the same shall be plainly marked, stamped or tagged, either on the container in which it is enclosed or upon the article of food itself, with the date of such removal, and such marks, stamps and tags shall be *prima facie* evidence of such receipt and removal and of the dates thereof. All articles of food in any cold storage warehouse at the time this Act goes into effect shall, before being removed therefrom, be plainly marked, stamped or tagged with the date when this Act goes into effect and the date of removal therefrom.

§ 8. No person, firm or corporation shall hereafter keep or permit to remain in any cold storage warehouse any article of food which has been held in cold storage either within or without the State, for a longer aggregate period than twelve months, except with the approval of the Director of the Department of Agriculture as hereinafter provided. The Director of the Department of Agriculture may, from time to time, upon application in writing, extend the period of storage beyond twelve months for any particular article of food, provided the same is found upon examination by the Department of Agriculture to be in wholesome condition for further cold storage. The length of time for which such further storage is allowed shall be specified in the order granting the extension. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the said Director, the kinds and amounts of the articles of food for which the storage period was extended, and length of time for which this extension was granted, shall be filed, open to public inspection, in the office of said Director. The Director of Agriculture shall have power to order any article of food held in cold storage to be removed therefrom before the expiration of the first period of twelve months or before the expiration of any period of extension granted by him for any of the following reasons:

(1) That the storage of the article of food beyond the time fixed by the Director of the Department of Agriculture in his order of removal will render such article of food unwholesome:

(2) That the person, firm or corporation storing such article of food has entered into a contract, agreement or understanding for the purpose or with the intent of fictitiously increasing the price of such article of food;

(3) That the storage of such article of food is for the purpose or with the intent of fictitiously increasing the price thereof;

(4) That the storage of such article of food tends to create a monopoly.

(5) That the storage of such article of food tends to restrain or prevent competition in this State in the supply or price of such article. Before such article of food shall be ordered removed from storage, the Director of Agriculture shall give at least five days notice in writing of his intention to make such order, and shall accord the person, firm or corporation receiving such notice a full hearing thereon.

§ 9. It shall be unlawful to sell, or to offer for sale, any article of food which has been held for a period of thirty days or over in cold storage either within or without the State, without notifying persons purchasing, or intending to purchase, the same, that it has been so held, by the display of a placard plainly and conspicuously marked, "Cold Storage Goods," on the bulk mass or articles of food; and it shall be unlawful to represent or advertise as fresh any article of food which has been held in cold storage for a period of thirty days or over.

§ 10. It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale. It shall be unlawful to transfer any article of food from one cold storage warehouse to another if such transfer is made for the purpose of avoiding any provision of this Act, and such transfer shall be unlawful unless all prior stampings, markings and taggings upon such article shall remain thereon.

§ 11. The Department of Agriculture may make all necessary rules and regulations to carry this Act into effect. Such rules shall be filed in the Director's office, and shall not take effect until five (5) days after such filing.

§ 12. Any person, firm or corporation violating any provision of this Act shall be guilty of a misdemeanor and shall upon conviction be punished for the first offense by a fine not exceeding one hundred (\$100) and for the second or any subsequent offense by a fine not exceeding five hundred (\$500) or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

§ 13. This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

§ 14. This Act may be cited as the Uniform Cold Storage Act.

§ 15. All Acts or parts of Acts inconsistent with this Act hereby repealed.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

RECORDERS.

DUTIES AND FEES OF RECORDER.

§ 1. Amends section 9, Act of 1874.

§ 9. As amended, prescribes
duties of recorder — office
hours—fees.

(SENATE BILL NO. 336. APPROVED JUNE 21, 1917.)

AN ACT to amend section nine (9) of an Act entitled "An Act to revise the law in relation to recorders," approved March 9, 1874, and in force July 1, 1874, as amended by an Act entitled "An Act to amend section nine (9) of an Act entitled, 'An Act to revise the law in relation to recorders,' approved March 9, 1874, in force July 1, 1874, and Acts amendatory thereof," approved May 16, 1905, and in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section nine (9) of an Act entitled "An Act to revise the law in relation to recorders," approved March 9, 1874, and in force July 1, 1874, as amended by an Act entitled "An Act to amend section nine (9) of an Act entitled, 'An Act to revise the law in relation to recorders,' approved March 9, 1874, in force July 1, 1874, and Acts amendatory thereof," approved May 16, 1905, and in force July 1, 1905, be and the same is hereby amended so as to read as follows:

§ 9. Every recorder shall, as soon as practicable after the filing of any instrument in writing in his office, entitled to be recorded, record the same at length, in the order of time of its reception, in well bound books to be provided for that purpose: *Provided*, that separate books may be kept for the recording of different classes of instruments.

Every recorder shall keep his office at the courthouse of the county for which he is recorder, and shall keep his office open and attend to the duties thereof from eight o'clock in the forenoon to five o'clock in the afternoon of each working day, excepting such days and half days as under any law are or may be legal holidays or half holidays, in any part of his said county, as regards the presenting for payment, acceptance, maturity, protesting, or giving notice of the dishonor of bills of exchange, bank checks, promissory notes, or other negotiable or commercial paper or instruments.

The recorder of deeds elected as provided for in this Act, shall receive such fees as are or may be provided for him by law, in case of provision therefor; otherwise he shall receive the same fees as are or may be provided by law to be paid to the circuit clerk and *ex officio* recorder for like services.

APPROVED June 21, 1917.

REVENUE.

BOARD OF REVIEW—CLERK IN CERTAIN COUNTIES.

§ 1. Amends section 30, Act of 1898.

§ 30. Appointment of—vacancy—
how filled—compensation
—clerk.

(HOUSE BILL NO. 916. APPROVED JUNE 25, 1917.)

AN ACT to amend section 30 of an Act entitled, "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named, approved February 25, 1898, in force July 1, 1898, as amended by an Act approved May 13, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 30 of an Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named, approved February 25, 1898, in force July 1, 1898, as amended by an Act approved May 13, 1907, in force July 1, 1907, be and the same is hereby amended to read as follows:

§ 30. APPOINTMENT OF—VACANCY—HOW FILLED—COMPENSATION—CLERK.] In counties under township organization of less than one hundred twenty-five thousand (125,000) inhabitants there shall be a board of review to review the assessments made by the county supervisor of assessments. The chairman of the board of supervisors shall be ex officio chairman of the board of review, and there shall be two (2) additional members of said board of review, who shall be appointed in the manner following: On or before June 1st, 1918, the county judge shall appoint one (1) citizen of the county to serve as a member of the board of review of the county for one (1) year from the date of his appointment, and one (1) citizen of the county to serve as a member of the board of review for two (2) years from the date of his appointment. Each year thereafter, beginning with June 1st, 1919, as the term of one of the members of said board of review expires, the county judge shall appoint one (1) citizen of the county to serve as a member of the board of review for two (2) years from the date of his appointment. Should a member of the board of review die, resign, or be removed, the county judge shall appoint a citizen of the county to fill the unexpired term of such member. The board of review shall at all times, consist of two (2) members affiliated with the political party polling the highest vote, and one (1) member of the party polling the second highest vote at the general election in the county prior to the time any appointment is made by virtue of this section. The members of the board of review shall receive as compensation the sum per day for each day of service as shall be fixed by the county board, their time of service to be made out in due form with day and date, and sworn to by the members thereof. *Provided further,* that in counties of less than one hundred twenty-five thousand (125,000) inhabitants, the members of the board of review by a majority vote each year, may select some suitable person to act as clerk of said board of review, and such clerk shall receive as compensation, the sum per day for each day of service

as shall be fixed by the county board: The time of service of such clerk to be made out in due form, with day and date, and sworn to by such clerk.

APPROVED June 25, 1917.

COLLECTION OF TAXES.

§ 1. Amends sections 155 and 243, Act of 1872.

§ 243. Payment to local authorities.

§ 155. How collection made.

(HOUSE BILL No. 753. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act for the assessment of property and for the levy and collection of taxes*," approved March 30, 1872, in force July 1, 1872, as subsequently amended, by amending sections 155 and 243 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act for the assessment of property and for the levy and collection of taxes*," approved March 30, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended, by amending sections 155 and 243 thereof to read as follows:

§ 155. Every town collector, and every county collector, in cases where there is no town collector, upon receiving the tax book or tax books, shall proceed to collect the taxes therein mentioned: *Provided*, that it shall be the duty of such collector to give notice in a newspaper published in the county, if any such newspaper there be, stating when and where he will be prepared to receive such taxes, at one or more places in each township, which said notice shall be published at the first publication of such newspaper after the delivery to such collector of the tax book or tax books and immediately upon the receipt of such tax book or tax books the said collector shall cause to be posted in one or more of the most public places in each township, in counties under township organization and in each precinct in counties not under township organization, a like notice, and the publication of such notice in said newspaper and the posting thereof as provided herein shall be deemed a sufficient demand for said taxes.

§ 243. The county collector shall on the first day of April and the first day of each and every month thereafter, pay over to the other proper authorities or persons the amounts in his hands and payable to them as taxes, not theretofore paid over: *Provided*, that in counties under township organization, where no town collectors are elected, no fees or commissions shall be deducted by the county collector from taxes collected by him and heretofore authorized to be collected by town collectors, and all such taxes collected shall be paid over in full to the proper authorities or persons authorized by law to receive the same.

Any county collector who shall fail to pay over the amount of taxes due and payable, at the time or times required by this section, shall be subject as a penalty for such failure to pay a sum of money equal to the interest on such amount at the rate of one-tenth of one (1) per cent

per day from the time such amount becomes due and payable until the same is paid; and the sureties upon the official bond of such collector shall be liable for the payment of such penalty. The penalty in this section provided may be recovered in an action of debt against such collector and his sureties aforesaid, in the name of the people of the State of Illinois, in any court of competent jurisdiction, and the amount of the penalty, when recovered, shall be paid into the county treasury: *Provided, however,* that this section shall not invalidate or increase the liability upon the bond of any county collector in force prior to the passage of this Act, and that to such extent as its application to any such existing bond would result in invalidating or increasing the liability thereon, this section shall be inapplicable thereto.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

GENERAL LEVY FOR STATE PURPOSES.

§ 1. "Revenue Fund," \$16,000,000.00 per annum; "State School Fund," \$4,000,000.00 per annum.	§ 2. Computation and certification of tax rate.
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(HOUSE BILL NO. 1039. APPROVED JUNE 27, 1917.)

AN ACT to provide for the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be raised, by levying a tax by valuation upon the assessed taxable property of the State, the following sums for the purposes hereinafter set forth:

For general State purposes, to be designated, "Revenue Fund," the sum of sixteen million dollars (\$16,000,000.00) upon the assessed value of the property for the year A. D. 1917; sixteen million dollars (\$16,000,000.00) upon the assessed value of the property for the year A. D. 1918; and for State school purposes to be designated "State School Fund," the sum of four million dollars (\$4,000,000.00) upon the assessed taxable property for the year A. D. 1917, and the sum of four million dollars (\$4,000,000.00) upon the assessed taxable property for the year A. D. 1918, in lieu of the two mill tax.

§ 2. The Governor, the Auditor and Treasurer shall annually compute the several rates per cent required to produce not less than the above amounts, anything in any other Act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding; and when so ascertained, the Auditor shall certify to the county clerk the proper rates per cent therefor, and also such definite rates for other purposes as are now or may be hereafter provided by law, to be levied and collected as State taxes, and all other laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED June 27, 1917.

GIFTS, LEGACIES AND INHERITANCES—TAX, PAYMENT TO STATE
TREASURER.

§ 1. Amends section 20, Act of 1909.

§ 20. As amended, provides county treasurer shall transmit all collections to State Treasurer on the first day of each month — penalty for failure — bond.

(HOUSE BILL No. 333. FILED MAY 7, 1917.)

AN ACT to amend an Act entitled, "*An Act to tax gifts, legacies, inheritances, transfers, appointments, and interests in certain cases, and to provide for the collection of the same, and repealing certain Acts therein named,*" approved June 14, 1909, in force July 1, 1909, as subsequently amended, by amending section 20 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to tax gifts, legacies, inheritances, transfers, appointments, and interests in certain cases, and to provide for the collection of the same and repealing certain Acts therein named,*" approved June 14, 1909, in force July 1, 1909, as amended, be and the same is hereby amended by amending section twenty (20) thereof to read as follows:

§ 20. The treasurer of each county shall collect all such taxes and on the first day of each and every month transmit all such taxes so collected prior thereto, and not yet transmitted, to the State Treasurer, who shall give him a receipt therefor, of which collection and payment he shall make report under oath to the Auditor of Public Accounts, on the first day of each and every month, stating for what estate paid, and in such form and containing such particulars, as the Auditor may prescribe. If any county treasurer shall fail to pay to the State Treasurer all taxes that may be due and payable under this Act, as prescribed herein, such county treasurer shall pay to the State, as a penalty for such failure, a sum of money equal to the interest on such taxes at the rate of one-tenth of one per cent per day from the time such taxes are collected by said county treasurer until such taxes are paid. The sureties upon the official bond of such county treasurer shall be security for the payment of such penalty. The penalty in this section provided may be recovered in an action of debt against such county treasurer and his sureties aforesaid, in the name of the people of the State of Illinois, in any court of competent jurisdiction within the county wherein such county treasurer is resident; and such penalty, when recovered, shall be paid into the State treasury. Such action shall be brought by the State Treasurer within ten days after the failure of such county treasurer to pay to the State Treasurer any taxes collected by him, at the time required by this Act. Failure to bring such suit within such time shall not prevent the bringing of such suit thereafter. And it is hereby made the duty of the State Treasurer to make necessary and proper investigations to determine what inheritance tax should be paid. *Provided, however,* that this section shall not invalidate or increase the liability upon the bond of any county treasurer in force prior to the passage of this Act, and that to such extent as its application to any such existing

bond would result in invalidating such bond or increasing the liability thereon, this section shall be inapplicable thereto.

FILED May 7, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this seventh day of May, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

LEVY AND COLLECTION OF TAXES.

§ 1. Amends section 292, Act of 1872.

§ 292. Provides that term "year" shall mean a calendar year.

(HOUSE BILL No. 841. APPROVED JUNE 27, 1917.)

AN ACT to amend section 292 of an Act entitled, "*An Act for the assessment of property and for the levy and collection of taxes*," approved March 30, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 292 of an Act entitled "*An Act for the assessment of property and for the levy and collection of taxes*," approved March 30, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby amended to read as follows:

§ 292. The words and phrases following, whenever used in this Act, shall be construed to include in their meaning the definitions set opposite the same in this section, whenever it shall be necessary to the proper construction of this Act.

1st. ASSESSOR—ASSESSORS.—Town, district and deputy assessors.

2d. AUDITOR—Auditor of Public Accounts.

3d. BANK — BANKER—BROKER—STOCK JOBBER.—Whoever has money employed in the business of dealing in coin, notes or bills of exchange, or in the business of dealing in or buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, bonds, or other writing obligatory, or stocks of any kind or description whatsoever, or receiving money on deposit.

4th. COLLECTOR—COLLECTORS.—County, town, district and deputy collectors.

5th. COUNTY BOARD—The board of supervisors—the board of county commissioners.

6th. CREDITS.—Every claim or demand for money, labor[,] interest, or other valuable thing, due or to become due, not including money on deposit.

7th. HE.—Male, female, company, corporation, firm, society, singular or plural number.

8th. MONEY—MONEYS.—Gold, silver or other coin, paper or other currency used in barter and trade as money, in actual possession, and every deposit which the person owning, holding in trust, or having the beneficial interest therein, is entitled to withdraw in money on demand.

9th. NUMBER.—The singular number shall include the plural. and the plural number shall include the singular.

10th. OATH.—Oath or affirmation.

11th. PERSON—PERSONS. Male, female, corporation, company, firm, society, singular or plural number.

12th. REAL PROPERTY—REAL ESTATE—LAND—TRACT—LOT. Not only the land itself, whether laid out in town or city lots, or otherwise, with all things contained therein, but also all buildings, structures and improvements, and other permanent fixtures, of whatsoever kind, thereon, and all rights and privileges belonging or in anywise pertaining thereto, except where the same may be otherwise denominated by this Act.

13th. SHARES OF STOCK—SHARES OF CAPITAL STOCK.—The shares into which the capital or stock of every incorporated company or association may be divided.

14th. TAX—TAXES.—Any tax, special assessments or costs, interest or penalty imposed upon property.

15th. YEAR.—The word “year,” when used in this Act, with reference to taxes of or for a year, shall mean a calendar year, beginning on the first day of January.

APPROVED June 27, 1917.

LEVY AND COLLECTION OF TAXES.

§ 1. Amends sections 125, 129, 179, 188, 201, 203, 229 and 230, Act of 1872.

§ 125. Rates—how extended—valuation — equalization.

§ 129. Forfeited property—back taxes.

§ 179. Demand for assessment when tax paid.

§ 188. Delinquent list—form.

§ 201. Manner of conducting sale.

§ 203. Forfeited.

§ 229. Back tax—special assessments.

§ 230. Suit for tax on forfeited property.

(SENATE BILL NO. 481. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as amended, by amending sections 125, 129, 179, 188, 201, 203, 229 and 230 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as amended, be and the same is hereby further amended by amending sections 125, 129, 179, 188, 201, 203, 229 and 230 thereof, so that said sections shall read as follows:

§ 125. The respective county clerks shall cause the collector’s books to be properly ruled for the several classes of property, providing for each class three columns for value, the first to show the assessed valuation, the second to show the valuation as corrected and equalized by the county board, and the third to show the valuation as equalized or assessed by the State Board of Equalization. Said books to contain proper columns for the extension of the several kinds of taxes and other pur-

poses, and to contain proper columns to insert opposite each piece, lot or tract of land any sales made of the same for taxes or special assessments for the two preceding years not cancelled and any withdrawals from collection at any tax sale of any special assessment. Such tax sales shall be designated by the word "sold" to be stamped in the proper column, and such withdrawals shall be designated by the word "withdrawn" to be stamped in the proper column, opposite the respective lot or tract of land not released prior to December 1st of each year. The several collectors shall stamp or cause to be stamped upon all receipts given for taxes the information in said columns, to be known as the tax sale column and the delinquent special assessment column.

§ 129. In all cases where any real property has heretofore been or may hereafter be forfeited to the State for taxes or special assessments levied thereon remaining unpaid, it shall be the duty of the clerk, when he is making up the amount of tax due on such real property for the current year to add the amount of back taxes and special assessments, interest, penalty and printers' fees remaining due on such real property, with one year's interest, at ten per cent. on all taxes forfeited before the year 1879, and twenty-five per cent. on all taxes forfeited in 1879 and thereafter up to the time of the passage of this Act, and twenty-five per cent on all taxes and special assessments hereafter levied and forfeited on the amount of taxes and special assessments due, to the tax of the current year, and the aggregate amount so added together shall be collected in like manner as the tax on other real property for that year may be collected: *Provided*, that the county clerk shall first carefully examine said list, and strike out therefrom all errors, and otherwise make such corrections as may be necessary with respect to such property or tax.

§ 179. When any special assessment is returned against property, the taxes upon which shall have been paid to the town or district collector, or when any special assessment which shall have been withdrawn at any previous sale or sales shall be so returned against property upon which the taxes shall have been so paid, it shall be the duty of the county collector to cause demand to be made for the payment of such special assessment, or a notice thereof to be sent by mail, or otherwise, to the owner, if his place of residence is known. The certificate of a collector that such demand was made or notice given, shall be evidence thereof.

§ 188. The collector shall transcribe into a book, prepared for that purpose, and known as the tax, judgment, sale, redemption, and forfeiture record, the list of delinquent lands and lots, which shall be made out in numerical order, and contain all the information necessary to be recorded, at least five days before the commencement of the term at which application for judgment is to be made; which book shall set forth the name of the owner, if known; the proper description of the land or lot, the year or years for which the tax or special assessments are due; the valuation on which the tax is extended; the amount of the consolidated and other taxes and special assessments; the costs and total amount of charges against such land or lot. Said book shall also be ruled in columns, so as to show the withdrawal of any special assess-

ments from collection, the amount paid before the rendition of judgment; the amount of judgment, and a column for remarks; the amount paid before sale and after the rendition of said judgment, the amount of the sale, amount of interest or penalty, amount of cost, amount forfeited to the State, date of sale, acres or part sold, name of purchaser, amount of sale and penalty, taxes of succeeding years, interest and when paid, interest and cost, total amount of redemption, date of redemption, when deed executed by whom redeemed, and a column for remarks, or receipt of redemption money.

§ 201. The collector, in person or by deputy, shall attend at the courthouse in his county, on the day specified in the notice for the sale of real estate for taxes, and then and there, between the hours of nine o'clock in the forenoon and four o'clock in the afternoon, proceed to offer for sale, separately and in consecutive order, each tract of land or town or city lot in the said list on which the taxes, special assessments, interest or costs have not been paid. The sale shall be continued from day to day, until all the tracts or lots in the delinquent list shall be sold or offered for sale: *Provided, however*, that any city, village or town interested in the collection of any tax or special assessment, may, in default of bidders for same, withdraw from collection any such special assessment levied against any such tract of land or lot by the corporate authorities of such city, village or town, and in case of such withdrawal there shall be no sale of such tract of land or lot on account of the delinquent special assessment thereon.

§ 203. Every tract or lot so offered at public sale, and not sold for want of bidders, unless it is released from sale by the withdrawal from collection of a special assessment levied thereon, shall be forfeited to the State of Illinois: *Provided, however*, that whenever the county judge, county clerk and county treasurer shall certify that the taxes and special assessments not withdrawn from collection on forfeited lands equal or exceed the actual value of such lands, the officer directed by law to expose for sale lands for delinquent taxes shall, on the receipt of such certificate, offer for sale to the highest bidder the tract or lands, in such certificate described, after first giving ten days' notice of the time and place of sale, together with a description of the tract or lands so to be offered. And a certificate of purchase shall be issued to the purchaser at such sale as in other cases in this Act provided; and the county collector shall receive credit in his settlement with the custodian of the several funds, for which such tax was levied for the amount not realized by such sale. And the amount received from any such sale shall be paid by such collector, *pro rata*, to the custodian of the several funds entitled thereto.

§ 229. The amount due for general taxes and special assessments on lands and lots previously forfeited to the State and remaining unpaid on the first day of November, and on lands and lots on which such special assessments were withdrawn from collection, shall be added to the tax of the current year; and the amount thereof shall be reported against the county collector with the amount of taxes for said year; and the amount so charged for said forfeitures on general taxes and special assessments shall be placed on the tax books, collected and paid over in

like manner as other taxes. The county collector is hereby authorized to advertise and sell said property in the manner hereinbefore required by this Act, as if said property had never been forfeited to the State; and the county, city, town or school district may, by their agent attend such sale for taxes and buy said lands and acquire the same rights that individuals now have under the law, and acquire, hold, sell and dispose of said title thereto the same as and in the same manner as individuals may do under the laws of this State, in case of sale for taxes. Said additions and sales shall be continued from year to year until the taxes and special assessments on said property are paid, by sale or otherwise.

§ 230. The county board may, at any time, institute suit in an action of debt in the name of the People of the State of Illinois in any court of competent jurisdiction for the whole amount due for taxes and special assessments on forfeited property; or any county, city, town, school district or other municipal corporation to which any such tax or special assessment may be due, may, at any time, institute suit in an action of debt in its own name, before any court of competent jurisdiction, for the amount of such tax or special assessment due any such corporation on forfeited property, and prosecute the same to final judgment. The county board may also, at any time, institute suit in an action of debt in the name of the People of the State of Illinois, in any court of competent jurisdiction, against any person, firm or corporation, for the recovery of any personal property tax due from such person, firm or corporation, and in any such suit for the recovery of personal property tax, the return of the county collector that such taxes are delinquent, shall be *prima facie* evidence that such taxes are due and unpaid, but the fact that such taxes are due and unpaid may be proven by other competent testimony. This Act shall apply to all taxes heretofore levied against any person, firm or corporation and now upon any assessment book or roll, and on the sale of any property following such judgment on execution or otherwise, any such county, city, town, school district or other municipal corporation, interested in the collection of said tax, may become purchaser at such sale of either real or personal property, and if the property so sold is not redeemed (in case of real estate) may acquire, hold, sell and dispose of the title thereto, the same as individuals may do under the laws of this State, and in any such suit or trial for forfeited taxes, the fact that real estate or personal property is assessed to a person, firm or corporation, shall be *prima facie* evidence that such person, firm or corporation was the owner thereof, and liable for the taxes for the year or years for which the assessment was made, and such fact may be proved by the introduction in evidence of the proper assessment book or roll, or other competent proof.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LEVY AND EXTENSION OF TAXES—LIMITATION.

§ 1. Amends section 2, Act of 1901.

§ 2. Levy and extension of taxes by county clerk — aggregate not to exceed 3 per cent. with certain taxes excluded — reductions — exceptions — tax for play grounds and libraries.

(SENATE BILL NO. 426. APPROVED JUNE 18, 1917.)

AN ACT to amend section 2 of an Act entitled, "*An Act concerning the levy and extension of taxes*," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "*An Act concerning the levy and extension of taxes*," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915, be and the same is hereby amended to read as follows:

§ 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the State Board of Equalization for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however,* that if the aggregate of all the taxes (exclusive of State taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes, and for a period of five years beginning with the year 1917 taxes levied for the payment of the principal of and the interest on bonded indebtedness of cities, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified to be extended against any property in any part of any taxing district or municipality, shall exceed three per cent of the assessed valuation thereof upon which the taxes are required to be extended, the rate per cent of the tax levy of such taxing district or municipality shall be reduced as follows: The county clerk shall reduce the rate per cent of the tax levy of such taxing district or municipality in the same proportion in which it would be necessary to reduce the highest aggregate per cent of all the tax levies (exclusive of State taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, school building taxes, high school taxes, district school taxes and all other

school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes, and for a period of five years beginning with the year 1917 taxes levied for the payment of the principal of and the interest on bonded indebtedness of cities, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified for extension upon any of the taxable property in said taxing district or municipality, to bring the same down to three per cent of the assessed value of said taxable property upon which said taxes are required by law to be extended: *Provided, further*, that in reducing tax levies hereunder the rate per cent of the tax levy for county purposes in counties having a population of over 300,000 shall not be reduced below a rate of forty-five cents on each one hundred dollars assessed value (exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments), and in counties having a population of less than 300,000 the rate of the tax levy for county purposes shall not be reduced below a rate of fifty-five cents on each one hundred dollars assessed value (exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments), and the rate per cent of the tax levy for city or village purposes (exclusive of library, public tuberculosis sanitarium, school and park purposes and for a period of five years beginning with the year 1917, exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness and judgments), in cities and villages having a population of over 150,000 shall not be reduced below a rate of one dollar and ten cents on each one hundred dollars assessed value, and in addition thereto such rate not to exceed five cents on each one hundred dollars of assessed value as will produce the amount of the annual appropriation of such cities and villages for playground purposes, and the rate per cent of the school tax for educational purposes shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for library purposes shall not be reduced below a rate of eight (8) cents on each one hundred dollars (\$100) assessed value, and the rate per cent of the tax levy for city or village purposes (exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness and judgments) in cities and villages having a population of less than 150,000, shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the school tax levy for educational purposes shall not be reduced below a rate of one dollar and fifty cents on each one hundred dollars assessed value, but the other taxes which are subject to reduction under this section shall be subject only to such reduction, respectively, as would be made therein under this section if this proviso were not inserted herein: *And provided, further*, in reducing tax levies hereunder, all school taxes levied in cities exceeding 150,000 inhabitants, with the exception of the levy for school building purposes, shall be included in the taxes to be reduced.

The rate per cent of the tax levy of every county, city, village, town, township, park district, sanitary district, road district, and other

public authorities (except the State), shall be ascertained and determined (and reduced when necessary as above provided) in the manner hereinbefore specified, and shall then be extended by the county clerk upon the assessed value of the property subject thereto (being one-third of the full value thereof) as equalized according to law.

In reducing the rate per cent of any tax levy, as hereinbefore provided, the rates per cent of all tax levies certified to the county clerk for extension as originally ascertained and determined under section one of this Act, shall be used in ascertaining the aggregate of all taxes certified to be extended without regard to any reduction made therein under this section: *Provided*, that no reduction of any tax levy made hereunder shall diminish any amount appropriated by corporate or taxing authorities for the payment of the principal or interest on bonded debt, or levied pursuant to the mandate or judgment of any court of record. And to that end every such taxing body shall certify to the county clerk, with its tax levy, the amount thereof required for any such purposes.

In case of a reduction hereunder any taxing body whose levy is affected thereby and whose appropriations are required by law to be itemized, may, after the same have been ascertained, distribute the amount of such reduction among the items of its appropriations, with the exceptions aforesaid, as it may elect.

If no such election be made within three months after the extension of such tax, all such items, except as above specified, shall be deemed to be reduced *pro rata*.

APPROVED June 18th, 1917.

TAXES—COLLECTION AND SETTLEMENT.

§ 1. Amends sections 247, 251, 252, 258, 259 and 287, Act of 1872.

§ 247. Manner of making settlement.

§ 251. Interest on money due State.

§ 252. Auditors certificate of settlement — filing same.

§ 258. Liability on bonds — specified.

§ 259. Suit by Auditor on collector's bond—examination of official acts, books and accounts.

§ 287. Failure to do any duty under this Act — penalty.

(SENATE BILL NO. 609. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended, by amending sections 247, 251, 252, 258, 259 and 287.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as subsequently amended, be, and the same is hereby amended, by amending sections 247, 251, 252, 258, 259 and 287, to read as inserted at length herein.

§ 247. The county clerk shall make out and deliver to the county collector, as soon as adjustment is made with the county board or county

clerk, annually, the statements, certificates and lists, appertaining to the settlement of the accounts of such collector, which statements, certificates and lists shall be made out in proper form, under his seal of office, on blanks which it is hereby made the duty of the Auditor to furnish annually for that purpose. The collector shall deliver the same at the office of the Auditor and make a final settlement of his accounts, and pay the amount due the State, into the State treasury, on or before the first day of July next after receiving the tax books: *Provided*, that in all cases where the statements, certificates and lists appertaining to the final settlement of a collector are on file with the Auditor on or before the first day of July, such collector shall not be liable to any penalty by reason of failing to pay the balance found due on the account of such collector until the expiration of fifteen days after mailing said Auditor's statement showing balance due the State on such collector's account: *Provided, further*, that this section shall not be held to relieve any collector from the payment of any penalty provided in this Act, by reason of the failure to make payment to the State at other time or times, as required by this or any other Act of the General Assembly of this State.

§ 251. Any county collector who shall fail to pay into the State treasury, the amount of taxes due and payable from such collector, to the State, at the time or times required by any provision of this Act, shall pay to the State, as a penalty for such failure, a sum of money equal to the interest on such amount at the rate of one-tenth of one per cent per day from the time such amount becomes due and payable until the sum is paid; and the sureties upon the official bond of such collector shall be liable for the payment of such penalty. The penalty in this section provided may be recovered in an action of debt against such collector and his sureties aforesaid, in the name of the People of the State of Illinois, in any court of competent jurisdiction, and the amount of the penalty, when recovered, shall be paid into the State treasury. Such action shall be brought by the Auditor within ten days after any such amount of taxes becomes due and unpaid, but a failure to bring such suit within such time shall not preclude the bringing of an action thereafter: *Provided*, that the Auditor may settle with such delinquent collector, upon the payment of the amount of taxes in arrear, together with the penalty aforesaid, but the Auditor shall not remit any part of said penalty: *Provided, further*, that in all cases where the statements, certificates and lists pertaining to the final statement of a collector are on file with the Auditor as provided in this Act, such collector shall not be liable for any penalty for failure to pay into the State treasury the amount due on such final settlement until the expiration of fifteen days after mailing the Auditor's statement required by this Act.

Provided, however, that this section shall not invalidate or increase the liability upon the bond of any county treasurer in force prior to the passage of this Act, and that to such extent as its application to any such existing bond would result in invalidating such bond or increasing the liability thereon, this section shall be inapplicable thereto.

§ 252. Upon the final settlement of any account with the State, the Auditor shall give the collector duplicate certificates, under his seal of

office, setting forth that said collector has settled and paid into the State treasury the full amount due from him on said account; and it shall be the duty of the collector to file one of said certificates in the office of the county clerk, on or before the first day of August next after receiving the tax books. If any collector shall neglect or refuse to file one of said certificates as above required, the county clerk shall leave a written notice at the office of said collector requiring him to appear before the County Court at the September term thereof, and show cause why he has not filed the certificate aforesaid. If the county clerk shall not notify the collector as above required, on or before the fifth day of August aforesaid, the State Auditor shall immediately serve such a notice upon the county collector, requiring him to appear before said court and show cause as aforesaid. If any collector so notified as aforesaid shall not show that he has paid over the full amount due from him, and made a final settlement with the State and county, or that he is lawfully excused for failing so to do, his office as collector and treasurer shall be declared vacant by said court, and the same filled as in other cases of vacancy by reason of death or otherwise.

When the notice aforesaid shall have been served as aforesaid, at least fifteen days before the first day of the September term of the County Court, said court shall proceed forthwith to hear and determine the matter, but if fifteen days shall not have intervened before the service of such notice as aforesaid, and the first day of the September term of said court, then the matter shall be heard at the next succeeding term thereof. When such notice shall be given by the Auditor, the Attorney General shall appear and represent the interests of the State in all proceedings arising or taken by reason of said notice.

§ 258. The bond of every county, town or district collector shall be held to be security for the payment by such collector to the State Treasurer, county treasurer, and the several cities, towns and villages and proper authorities and persons, respectively, of all taxes and special assessments which may be collected or received by him on their behalf, and of all penalties which shall be recovered against him, by virtue of any law in force at the time of giving such bond or that may be passed or take effect thereafter.

§ 259. Upon the failure of any collector to make settlement with the Auditor, or to pay money into the State treasury, it shall be the duty of the Auditor to sue the collector and his sureties upon the bond of such collector, or to sue the collector in such form as may be necessary, and take all such proceedings either upon such bond or otherwise as may be necessary to protect the interests of the State.

Within three days or as soon thereafter as practicable, after failure of any county collector to make settlement with the Auditor, or to pay money into the State treasury as required by any provision of this Act, the Auditor shall commence and prosecute an examination of the official acts, books and accounts of such collector; and it shall be the duty of the said collector to cause his books, accounts and records to be opened for the inspection of such Auditor or such persons as the Auditor may appoint to make or assist in such examination; and for the purpose of such

examination such Auditor, or such person as the Auditor may appoint to make such examination, shall have power to examine under oath the said collector, the deputies, clerks or other employees of such collector; and to examine under oath the sureties upon the official bond of such collector, touching the knowledge of such sureties of the taxes collected by such collector and the disposition thereof and the solvency of such sureties.

If any collector shall fail or refuse to open his books, accounts and records for inspection, as aforesaid, upon the demand in writing of the Auditor so to do, the Auditor shall file in the Circuit Court of the county of which said collector is a resident, a petition which shall set forth the aforesaid demand of the Auditor, the failure of such collector to comply therewith, and praying the court to enter an order upon such collector requiring him to appear before such court and show lawful cause for such failure. Said court shall forthwith enter of record an order requiring said collector to appear before such court at a time stated in such order, which time shall not be more than fifteen days after the entry thereof and answer said petition, a certified copy of which order shall be delivered at the office of said collector within five days after the entry thereof. If such collector shall not appear as required by said order, the court shall enter an order commanding said collector to produce such books, accounts and records for the examination aforesaid, within a time not exceeding five days after the entry of such order. If such collector shall appear and answer as required by said order, the court shall forthwith proceed to hear and determine the matter, and if such matter shall not show lawful reason for failure to comply with the Auditor's demand aforesaid, the court shall order said collector to produce such books, accounts and records for such examination within five days after the entry of such order and submit himself to examination under oath by such Auditor or his appointee, touching said books, accounts and records, when required. Such collector failing or refusing to obey such order may be adjudged guilty of contempt of court and punished therefor.

§ 287. If any officer shall fail or neglect to perform any of the duties required of him by this Act, upon being required so to do by any person interested in the matter, and for the failure or neglect to perform such duty there is no other or specific penalty provided in this Act, he shall be liable to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00), to be recovered in an action of debt in the Circuit Court of the proper county, and may be removed from office at the discretion of the court; and any officer who shall knowingly violate any of the provisions of this Act, for the violation of which there is no other specific penalty provided for herein, shall be liable to a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00) to be recovered in an action of debt in the name of the People of the State of Illinois, in any court having jurisdiction and may be removed from office at the discretion of the court, and said fines when recovered shall be paid into the county treasury.

APPROVED June 25, 1917.

TAX RATE LIMITED.

§ 1. Amends section 2, Act of 1901.

§ 2. The rate per cent—how to be determined.

(SENATE BILL NO. 193. APPROVED JUNE 25, 1917.)

AN ACT to amend section two (2) of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, as amended by an Act approved May 20, 1913, in force July 1, 1913, as amended by an Act approved June 10, 1915, in force July 1, 1915, be and the same is hereby amended to read as follows:

§ 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the State Board of Equalization for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however,* that if the aggregate of all taxes (exclusive of State taxes, township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes and for a period of five years beginning with the year 1917 taxes levied for the payment of the principal and the interest on bonded indebtedness of cities, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified to be extended against any property in any part of any taxing district or municipalities, [municipality] shall exceed three per cent of the assessed valuation thereof upon which the taxes are required to be extended, the rate per cent of the tax levy of such taxing district or municipality shall be reduced as follows: The county clerk shall reduce the rate per cent of the tax levy of such taxing district or municipality in the same proportion it [in] which it would be necessary to reduce the highest aggregate per cent of all the tax levies (exclusive of State taxes, township taxes, village taxes, levee taxes, public [public] tuberculosis sanitarium taxes, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than 100,000 inhabitants, road and bridge taxes, and for a period of five years beginning with the year 1917 taxes levied for

the payment of the principal and the interest on bonded indebtedness of cities, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified for extension upon any of the taxable property in said taxing district or municipality to bring the same down to three per cent of the assessed value of said taxable property upon which said taxes are required by law to be extended: *Provided, further*, that in reducing tax levies hereunder the rate per cent of the tax levy for county purposes in counties having a population of over 300,000 shall not be reduced below a rate of forty-five cents on each one hundred dollars assessed value (exclusive of levies to pay the principal and interest on bonded indebtedness and judgments), and in counties having a population of less than 300,000 the rate of the tax levy for county purposes shall not be reduced below a rate of seventy-five cents for each one hundred dollars assessed value (exclusive of levies to pay the principal and interest on bonded indebtedness and judgments), and the rate per cent of the tax levy for city or village purposes (exclusive of library, public tuberculosis sanitarium, school and park purposes and, for a period of five years beginning with the year 1917, exclusive of the taxes levied for the payment of the principal and of the interest on bonded indebtedness and judgments), in cities and villages having a population of over 150,000 shall not be reduced below a rate of one dollar and ten cents on each one hundred dollars assessed value, and in addition thereto such rate not to exceed five cents on each one hundred dollars of assessed value as will produce the amount of the annual appropriation of such cities and villages for playground purposes, and the rate per cent of the school tax for educational purposes shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for library purposes shall not be reduced below a rate of eight (8) cents on each one hundred dollars (\$100) assessed value, and the rate per cent of the tax levy for city or village purposes (exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal and the interest on bonded indebtedness and judgments) in cities and villages having a population of less than 150,000, shall not be reduced below a rate of two dollars on each one hundred dollars assessed value, and the rate per cent of the school tax levy for educational purposes shall not be reduced below a rate of one dollar and fifty cents on each one hundred dollars assessed value, but the other taxes which are subject to reduction under this section shall be subject only to such reduction, respectively, as would be made therein under this section if this proviso were not inserted herein: *And, provided, further*, in reducing tax levies hereunder all school taxes levied in cities exceeding 150,000 inhabitants, with the exception of the levy for school building purposes, shall be included in the taxes to be reduced.

The rate per cent of the tax levy of every county, city, village, town, township, park district, sanitary district, road district, and other public authorities (except the State), shall be ascertained and determined (and reduced when necessary as provided above) in the manner hereinbefore specified, and shall then be extended by the county clerk upon the assessed

value of the property subject thereto (being one-third of the full value thereof) as equalized according to law. In reducing the rate per cent of any tax levy, as hereinbefore provided, the rates per cent of all tax levies certified to the county clerk for extension as originally ascertained and determined under section one of this Act, shall be used in ascertaining the aggregate of all taxes under this section: *Provided*, that no reduction of any tax levy made hereunder shall diminish any amount appropriated by corporate or taxing authorities for the payment of the principal or interest on bonded debt, or levied pursuant to the mandate or judgment of any court of record. And to that end every such taxing body shall certify to the county clerk, with its tax levy, the amount thereof required for any such purpose.

In case of a reduction hereunder any taxing body whose levy is affected thereby and whose appropriations are required by law to be itemized, may, after the same have been ascertained, distribute the amount of such reduction among the items of its appropriations, with the exception aforesaid, as it may elect. If no such election be made within three months after the extension of such tax, all such items, except as above specified, shall be deemed to be reduced pro rata.

APPROVED June 25, 1917.

VALIDATION OF TAX LEVIES FOR 1916.

§ 1. Tax levies for 1916 validated.

(HOUSE BILL No. 902. APPROVED JUNE 26, 1917.)

AN ACT to make legal and valid annual appropriation bills for the fiscal year A. D. 1916, and taxes levied and extended thereon in counties by law required to adopt an annual appropriation bill in the first quarter of the fiscal year and to publish the annual appropriation bill in a newspaper, and to validate court proceedings now pending or hereafter to be brought for the collection of such taxes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when any county board by law is required within the first quarter of the fiscal year to adopt and, heretofore within the first quarter of the fiscal year A. D. 1916, has adopted a resolution termed the annual appropriation bill in and by which resolution such county board has appropriated such sums of money as might then be necessary to defray all necessary expenses and liabilities of such county to be by such county paid or incurred during and until the time of the adoption of the next succeeding annual appropriation bill, which said appropriation bill, by the provision of any law then in force, should not take effect until after it had been once published in a newspaper, and which said appropriation bill was not published in such a newspaper or in such manner or time as was then required by law, then in each and every such case, such annual appropriation bill and all tax levies based thereon and heretofore passed or adopted by such county board and the county taxes extended on the collector's warrant pursuant to such tax levy or levies, and all court proceedings now pending or hereafter to be brought to enforce the collection of such taxes, are each

and all hereby declared to be as legal and valid from the beginning as they, each and every of them would have been if such annual appropriation bill had been duly published in such a newspaper and in the manner and at the time then required by law: *Provided*, that nothing herein contained shall have the effect to validate more than one sufficient levy for the same appropriations in said fiscal year A. D. 1916, and where heretofore more than one levy has in fact been made or attempted to be made for the same appropriations in said fiscal year the taxes extended thereon shall have the same force and validity in the same amounts and to the same extent as they would have had if one sufficient levy had been made for said appropriations and the taxes extended thereon.

APPROVED June 26, 1917.

ROADS AND BRIDGES.

ACT OF 1913 AMENDED.

§ 1. Adds new section 104a.

§ 104a. Improvement associations—procedure — fee — penalty.

(SENATE BILL NO. 487. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled: "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by adding thereto a new section, to be known as section 104a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, be, and the same is hereby amended, by adding thereto a new section, to be known as section 104a, to read as follows:

§ 104a. Any association organized to promote the improvement of highways may, upon application to the Department of Public Works and Buildings, have registered in the office of the department, the name, detailed route, color combination and design used in marking any route laid out by such association. The board of highway advisors shall have power to determine priority of right in the use of any such name, color combination and designs.

The application for such registration shall be in the form prescribed by the Department of Public Works and Buildings and shall be properly acknowledged by the president and secretary of the association before a notary public or other officer authorized to take acknowledgment of deeds. Such application shall be accompanied by a registration fee of five dollars (\$5.00), which fee shall be returned to the association, if the application be not granted.

If the department shall, after investigation, adjudge the application meritorious and the route to be worthy of the protection of this Act, it shall issue to the association a certificate, which shall designate in detail the name, the starting and the terminal point, the color combination and

designs used in marking the route, all of which facts shall be recorded as a part of the permanent records of the department, in a book to be kept for that purpose.

It shall be unlawful for any person or association of persons other than those granted the privilege, as provided herein, to use for similar purposes, the name or any recorded color combination or design so registered.

Any person who shall injure or deface any sign board, design or other markings designating routes so registered, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100).

When any such highway association ceases to exist, or when the interest in the route name and markings has ceased, the Department of Public Works and Buildings may, after proper investigation, cancel the records and registration of any such registered route and reassign the name, color combination, designs or other markings to any other association making application for their use, as provided herein.

Any person or officer of any association violating any of the provisions of this Act, shall be guilty of a misdemeanor and upon conviction thereof, may be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

APPROVED June 25, 1917.

AMENDMENTS.

§ 1. Amends, by adding sections 75a, 145a and 145b to Act of 1913.

§ 75a. Relocation, alteration and improvement of railroad crossings.

§ 145a. Control of railroad crossings by State Public Utilities Commission — duties of highway commissioners.

§ 145b. Crossing railroad crossings—penalty.

(SENATE BILL NO. 409. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by adding thereto three new sections to be known as section 75a, section 145a and section 145b.

SECTION 1. Be it enacted by the People of the State of Illinois represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended by adding thereto three new sections to be known as section 75a, section 145a and section 145b, to read as inserted at length herein.

§ 75a. Whenever the State Public Utilities Commission, or its successor, shall find and certify to the highway commissioners of any town or road district, that the reconstruction, alteration, relocation improvement or abolishment of any crossing of the track of any railroad company across any highway or public road, is necessary to preserve or promote the safety of the public or of the employees or passengers of such railroad, and that for that purpose it is necessary to relocate, divert or

establish any highway or public road, it shall be the duty of such highway commissioners to relocate, divert or establish such highway or public road in accordance with such findings. The proceedings for that purpose shall be in accordance with the provisions of subdivision VI of this Act, except that the petition mentioned in section 75 shall not be necessary, but the findings and certificate of said commission shall stand in lieu of such petition.

§ 145a. At all grade crossings of public highways over railroads outside the corporate limits of any city or village, the highway commissioners shall remove, or cause to be removed from the highways all removable obstructions to the view of such grade crossings, such as brush and shrubbery, and trim, or cause to be trimmed, all hedges and trees upon the highway for a distance of not less than three hundred (300) feet from each side of such crossings.

It shall be the duty of the highway commissioners to erect and maintain such signs as the Public Utilities Commission may prescribe along-side the roadway on the highway at a distance of three hundred (300) feet on either side from every grade crossing located in the various townships or road districts of the State, designated as "extra hazardous" by the Public Utilities Commission. Such signs shall be erected upon a substantial post or pedestal at a height of approximately five (5) feet above the level of the highway at the point where such sign is located. No advertising or other signs shall be placed upon the highway or upon the railroad right-of-way within fifty (50) feet of any signs required by law to be placed at or near grade crossings.

It shall be unlawful for any person, firm or corporation to place, or to cause to be placed, any sign at a public highway within a distance of three hundred (300) feet of any grade crossing, except signs or signals required by law or the Public Utilities Commission for the protection of such crossings.

Any person who unlawfully removes, throws down, injures or defaces any sign required by law to be maintained at or near any railroad crossings on the public highway, shall be liable to a fine of not less than ten dollars (\$10) nor more than one hundred dollars (\$100) for each offense.

If, in the case of any such crossing it appears that the presence of such signs is unnecessary, the Public Utilities Commission, on petition of the highway commissioners of the township or road district in which such crossing is situated, may release such township or road district of the obligation of placing or maintaining such signs on the highway near such crossing.

It shall be the duty of the highway commissioners to maintain any and all signs placed or erected on any such highway by or through the order of the Public Utilities Commission of this State.

With respect to State aid roads, the duties hereby imposed on the highway commissioners shall be performed by the authorities in charge of such State aid roads.

Any official who shall fail or neglect to perform any duty created by this section shall be liable to a fine of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars for each such offense.

§ 145b. Upon approaching any highway crossing a railroad at grade, the person controlling the movement of any self-propelled vehicle shall reduce the speed of such vehicle to a rate of speed not [to] exceed ten (10) miles per hour. At all grade crossings at which "Stop" signs are placed, the person controlling the movement of any self-propelled vehicle shall bring such vehicle to a full stop at such "Stop" sign before proceeding over the rail-road tracks. Failure to bring such vehicle to a full stop at such a crossing before passing over the tracks of the rail-road, as herein provided, shall be deemed a misdemeanor and the person guilty of such misdemeanor shall be subject to a fine not to exceed ten dollars (\$10); the proceeds of fines so collected to be paid into the county treasury and used to maintain the highways of such county.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

APPEAL FROM DECISION OF COMMISSIONERS OF HIGHWAYS.

§ 1. Amends sections 77 and 91, Act of 1913.

§ 77. As amended, provides any three of the petitioners may appeal from the decision of the highway commissioners, denying prayer of petitioners.

91. As amended, provides any three petitioners, who signed the petition for laying out, vacating or widening any road may appeal from the final order of the commissioners.

(SENATE BILL NO. 200. APPROVED JUNE 21, 1917.)

AN ACT to amend sections 77 and 91 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 77 and 91 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended by subsequent Acts, be and the same hereby are amended so as to read as follows:

§ 77. In case the commissioners of highways shall deny the prayer of the petition, any three of the petitioners may appeal from such decision to the county superintendent of highways by joining in a notice of such appeal and filing the same in the office of the town or district clerk within ten days after the date of the decision appealed from. The clerk shall thereupon transmit the original petition for the altering, widening, vacating or laying out of such road, together with the said notice of appeal to the county superintendent of highways. Upon receipt thereof the said county superintendent of highways shall thereupon fix a time and place for a public hearing thereof, giving notice thereof and render his decision thereon in the manner hereinbefore provided in the case of the hearing upon said petition by the commissioners of highways of the

town or district. Upon rendering his decision, the said superintendent of highways shall likewise endorse on said petition a memorandum of his decision and shall file the same in the office of the town or district clerk. Such decision of the commissioners of highways, or upon appeal such order of the county superintendent of highways, shall be regarded as a preliminary decision upon the advisability of the proposed improvement, and shall be subject to revocation in the manner hereinafter provided.

§ 91. From such order of the commissioners of highways finally determining the advisability of such proposed laying out, alteration, vacation or widening of any road, any three qualified petitioners who may have signed the petition for such proposed laying out, alteration, vacation or widening, or any three land owners residing in said town within two miles of any portion of such road proposed to be laid out, altered, vacated or widened, or any person interested therein, may appeal to the county superintendent of highways by filing a notice of such appeal in the office of the town or district clerk within ten days of the date of filing the decision appealed from. Thereupon such clerk shall at once transmit all papers relating to such proposed laying out, alteration, vacation or widening of such road to the county superintendent of highways, who shall within twenty days after the receipt of the same, hold a public hearing within such town or district to finally determine upon the laying out, alteration, widening or vacation of such road. Such hearing shall be upon such notice and conducted in like manner as the hearing before the commissioners of highways relative to such final decision and from which appeal has been taken. The final order of the county superintendent of highways, relative to such proposed laying out, alteration, widening or vacation of such roads shall be filed with the town or district clerk within five days from the date of such public hearing.

APPROVED JUNE 21, 1917.

BONDS OF TOWNSHIP OR ROAD DISTRICTS LEGALIZED.

§ 1. Bonds voted for road and bridge purposes by townships or road districts legalized.

(HOUSE BILL NO. 635. FILED JUNE 28, 1917.)

AN ACT to legalize bonds of townships or road districts heretofore voted for the purpose of paying indebtedness incurred by highway commissioners of such township or road districts in repairing or rebuilding roads or bridges therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where the people of any township rebuilding or road district in this State have heretofore voted in favor of issuing the bonds of such township or road district for the purpose of paying the indebtedness incurred by the highway commissioners of such township or road district in repairing or rebuilding roads or bridges within such township or district, all such elections and proceedings shall be and the same are hereby made legal and valid, and any bonds which have been issued in pursuance of such elections and

proceedings shall be and the same are hereby made the legal, valid and binding obligations of such townships or road districts notwithstanding any objection which, except for the passage of this Act, could have been made to the legality of such bonds or such bond elections or such bond proceedings, or to the taxes levied or to be levied and collected for the payment of the principal of and the interest on such bonds.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

BRIDGES AND APPROACHES OUTSIDE OF CITY LIMITS—COLLECTION OF TOLL.

§ 1. Amends sections 2, Act of 1907.

§ 2. As amended, raises the limit of the size of the city which may exact toll from five to ten thousand inhabitants.

(HOUSE BILL NO. 212. APPROVED APRIL 11, 1917.)

AN ACT to amend section 2 of an Act entitled: "*An Act to enable cities and villages to build, acquire and maintain bridges and approaches thereto outside their corporate limits, and to control the same, and to issue bonds to pay for such bridges and approaches, and to pledge such bridge and approaches and the income therefrom for the payment of such bonds and the interest thereon.*" Approved June 4, 1907. In force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act, entitled: "*An Act to enable cities and villages to build, acquire and maintain bridges and approaches thereto outside their corporate limits, and to control the same, and to issue bonds to pay for such bridges and approaches, and to pledge such bridge and approaches and the income therefrom for the payment of such bonds and the interest thereon.*" Approved June 4, 1907. In force July 1, 1907, be and the same is hereby amended to read as follows:

§ 2. That in all cases where a bridge shall heretofore have been built or shall hereafter be built across a navigable stream by any city or village in whole or in part without the territorial limits of such city, where the population of such city or village furnishing the principal part of the expenses thereof shall not exceed ten thousand inhabitants, and where it is necessary to maintain a draw and lights, then a reasonable toll may be collected by the city or village building such bridge, to be set apart and appropriated to the expense of maintaining such bridge and keeping such bridge in repair, and of maintaining, opening and closing proper draws therefor, and lights, and to the payment of bonds or interest thereon, issued therefor, as hereinafter provided.

APPROVED April 11, 1917.

BRIDGES BUILT AT JOINT EXPENSE—BOND ISSUES.

§ 1. Amends sections 35 and 61, Act of 1913.

§ 35. Bridges may be built at joint expense of county and town, district or city or village.

§ 61. Bonds may be issued by vote of special town or district meeting to build bridges.

(HOUSE BILL NO. 246. APPROVED JUNE 11, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending sections 35 and 61 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, be and the same is hereby amended by amending sections 35 and 61 thereof to read as inserted at length herein.

§ 35. When it is necessary to construct or repair any bridges over a stream, or any approach or approaches thereto, by means of an embankment or trestle work on a public road, in any town, district or city or village of less than fifteen (15,000) thousand population or on or near to or across a town, district or such city or village line, in which work the town, district or such city or village is wholly or in part responsible, and the cost of which will be more than twelve cents on the one hundred dollars on the latest assessment roll, and the levy of the road and bridge tax for two (2) years last past in said town or district was in each year for the full amount allowed by law to be raised therein for all roads and bridge purposes except for damages incurred in laying out, altering, widening or vacating roads, or for ditching to drain roads, the major part of which levy is needed for the ordinary repair of the roads and bridges, or in such cities and villages where the levy for corporate purposes was for two years last past in said city or village for the full amount allowed by law to be raised therein for such corporate purposes, the commissioner of highways, the city council or the village board of trustees may petition the county board for aid, and if the foregoing facts shall appear, the county board shall appropriate from the county treasury a sufficient sum to meet one-half ($\frac{1}{2}$) of the expenses of said bridge or other work, on condition the town or district, city or village asking aid shall furnish the other half of the required amount.

When it is determined by the county board to grant the prayer of the highway commissioners, city council or village board of trustees asking aid for the construction of such bridge or other expensive work, the county board shall thereupon enter an order directing the county superintendent of highways to prepare plans and specifications for such improvement. The contract for such improvement shall thereupon be let in the manner authorized by said county board subject to the provisions of the law relating to the letting of contracts; *Provided, however,* that no county, town, road district, city or village shall be liable for any part of such expense or compelled to pay any part of its appropriation for such purpose until all of the work has been fully completed

and accepted by the county superintendent of highways, and such acceptance properly certified to by said officer and presented to the county board at a meeting held after the completion of said work, which certificate shall contain an itemized account of the expenditures; and a copy thereof shall also be filed with the town, district, city or village clerk, as the case may be.

§ 61. When the highway commissioners desire to expend on any bridge or bridges, or approaches thereto in any district a greater sum of money than is available to them by other means, the said commissioners may call a special town or district election to vote on the proposition. Upon determining to call such election the highway commissioners shall order the town or district clerk by an instrument in writing to be signed by them, to post up in ten of the most public places in said town or district notices of such special town or district meeting, which notice shall state the object, time and place of meeting, the maximum sum to be borrowed and the manner in which the vote is to be had, which shall invariably be by ballot, and shall be: "For borrowing money to (here define the purpose)" or "Against borrowing money to (here define the purpose)." Such special town or district election shall be held at the place of the last annual town or district meeting or election by said clerk giving at least ten days' notice and upon returns thereof being made in the same manner as other special town or district elections are now or may hereafter be provided by law; and if it shall appear that the majority of the legal voters voting at said election shall be in favor of said proposition, and said commissioners of highways, or town and district clerk, as the case may be, shall issue from time to time as the work progresses a sufficient amount in the aggregate of the bonds of said town or district for the purpose of building said bridge or bridges and approaches thereto, said bonds to be of such denominations, bear such rate of interest (not exceeding six per cent) upon such time, and be disposed of as the necessities and conveniences of said town or district officers require: *Provided*, that said bonds shall not be sold or disposed of for less than their par value and such town or district shall provide for the payment of such bonds by appropriate taxation.

APPROVED June 11, 1917.

HIGHWAY OFFICERS—THEIR ELECTION, POWERS DUTIES AND COMPENSATION.

§ 1. Amends sections 42, 43, 44, 45, 50 and 53; repeals sections 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167, Act of 1913.

§ 42. Town and district road officers.

§ 43. Election—provisions generally applicable.

§ 44. Provisions applicable to first election.

§ 45. Elections — counties not under township organization—provisions relating to the conduct thereof.

§ 50. Powers and duties of highway commissioner.

§ 53. Compensation—how fixed.

§ 2. Repeals sections 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167, Act of 1913.

(HOUSE BILL NO. 378. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending sections 42, 43, 44, 45, 50 and 53, and by repealing sections 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, be and is hereby amended by amending sections 42, 43, 44, 45, 50 and 53 to read as inserted at length herein, and by repealing sections 158, 159, 160, 161, 162, 163, 164, 165, 166 and 167 thereof.

§ 42. (A) In each township in counties under township organization, and in each road district in counties not under township organization, there shall be elected a highway commissioner who shall serve for a term of two (2) years and until his successor is duly elected and qualified, and who shall be elected in the manner hereinafter provided.

(B) In counties under township organization the town clerk shall act as the clerk for the highway commissioner in such town. In counties not under township organization there shall be elected in each road district, a district clerk who shall hold office for a term of two (2) years and until his successor is elected and qualified.

(C) In counties under township organization the supervisor of each town shall be *ex-officio* treasurer of the road and bridge fund. In counties not under township organization the district clerk shall be *ex-officio* treasurer of such fund.

(D) No person shall be eligible to the office of highway commissioner unless he shall be a legal voter and has been one year a resident of such town or district. In counties not under township organization the same limitation shall apply to the district clerk.

§ 43. In all counties under township organization the highway commissioner shall be elected at the annual town meeting following the passage of this Act, for a term of two (2) years. In all counties not under township organization, the highway commissioner and the district clerk shall be elected at an election to be held on the first Tuesday in April after the passage of this Act, to hold their offices for two (2) years. And every two years thereafter the highway commissioner of such township or district, and the district clerk of such district shall be

elected to hold office for two years, and until his successor is elected and qualified. The official term of any highway commissioner elect under the provisions of sub-division 2 of Article VI of this Act, providing for the election of three township highway commissioners or holding office at the time of the adoption of this Act shall expire upon the qualification of the highway commissioner or elected at said next ensuing town meeting or road district election: *Provided*, that the commissioners elected under Article IX of this Act, as single highway commissioners, shall hold their respective offices to the end of the term for which they were elected and until their successors are elected and qualified.

§ 44. In counties not under township organization which are operating under the optional Act entitled, "An Act in regard to roads and bridges in counties not under township organization and to provide for the adoption of the same," approved May 10, 1901, and which counties therefore are not already divided into road districts as aforesaid, the county board of each said counties shall at least twenty (20) days before the first Tuesday in April next after this Act shall become effective, designate some central and convenient place in each district for the holding of the first district election, and shall also appoint three suitable electors of the district as judges of the election.

The county clerk shall thereupon make out notices stating the time (which shall be the first Tuesday in April thereafter) and place of holding the first district election and the names of the judges of the election so appointed, and deliver said notices to the sheriff of the county who shall cause the same to be posted in not less than three (3) of the most public places of the district, and not less than fifteen (15) days before the time of holding such election.

At such first election there shall be elected one commissioner of highways to hold his office for two (2) years and until his successor is elected and qualified. At such first election there shall also be elected a road district clerk who shall hold his office for two (2) years and until his successor is elected and qualified. After the canvass of the votes the judges shall make returns as provided in the general election laws of this State, to the county clerk, who shall make a canvass of the votes and immediately notify the persons elected of their election. The expenses of such first election shall be paid by the county.

§ 45. In all counties not under township organization the following provisions regarding elections shall be applicable.

The annual election of district officers shall be held on the first Tuesday in April of each year at the place designated by the commissioner of highways.

The commissioner of highways and two other persons to be named by the county board shall be judges and the clerk of the district shall be *ex-officio* clerk of all district elections, but before entering upon the discharge of their duties they shall take the oath of office prescribed by the general election laws of the State. In the absence of any of the above named officers, the vacancy shall be filled by appointment by the commissioner, if present, and if the commissioner be not present, the electors present shall appoint such judge or judges.

Notice of the time and place of holding any annual or special election shall be given by the district clerk, or in his absence by the commissioner, by posting written or printed notices, in at least three (3) of the most public places in the district, at least fifteen (15) days prior to such election. The district election shall be conducted in the same manner and subject to the same laws and regulations as prescribed for general elections; *provided* that no registration of voters shall be required.

All persons possessing the qualifications of voters who reside within the boundaries prescribed for such district, shall be entitled to vote at such election.

The judges shall immediately, upon closing the polls, make a canvass of the votes polled in the manner provided by the general election laws of the State, and make a written statement or certificate of the number of votes cast at such election for each person of proposition voted for, and the office for which such person received such vote, and shall within forty-eight hours thereafter, cause such certificate and poll list together with the ballots cast at such election, to be separately sealed up and transmitted to the district clerk to be filed and preserved by him.

The commissioner of highways, together with some justice of the peace to be designated by him, and the district clerk, shall, within five (5) days after any election is held, meet and canvass said returns and declare the result of said election, the canvass being completed a statement of the results shall be entered at large by the clerk of the election in the minutes of the proceedings to be kept by him as required by this Act, which shall be publicly read by him to the electors present, and such reading shall be deemed notice of the result of the election to every person whose name shall be entered on the poll list as a voter.

In case two or more persons shall have an equal number of votes for the same office, the question of which shall be entitled to the office shall be decided by lot, under direction of the district clerk, but he shall give each party at least five (5) days notice of the time and place of drawing lots.

The clerk, within ten (10) days after the canvass of the votes as hereinbefore provided in this section, shall transmit to each person elected to any district office, a notice of his election. He shall also file in the office of the county clerk a list of the names of all district officers elected at such election who have qualified, within twenty (20) days after such election shall be held.

§ 50. (A.) The commissioner of highways in each town or road district shall on the second Tuesday next after the annual town meeting or road district election in each year, at the office of the town or district clerk, be present for the discharge of the duties of his office. He shall also be present at such office annually on the first Tuesday in September of each year for the purpose of determining the tax rate to be certified by him to the county board as herein provided. He shall also be present at such office at such time or times as he shall designate and as the duties of his office may require for the transaction of official business.

(B.) The highway commissioner of each town or road district shall have power and it shall be his duty:

(1) To lay out, alter, widen or vacate roads as hereinafter provided.

(2) To cause such roads used as highways, as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty (20) years but not recorded, to be ascertained, described and entered of record in the office of the district or town clerk.

(3) To determine the taxes necessary to be levied on property within his town or district for road and bridge purposes, subject to the limitations hereinafter provided.

(4) To direct the expenditure of all moneys collected in the town or road district for road and bridge purposes and to draw warrants on the town or district treasurer therefor.

(5) To direct the construction and repair of roads and bridges within the town or district, to let contracts, employ labor and purchase material and machinery therefor, subject to the limitations herein provided: *Provided, however*, that no contract shall be let for the construction or repair of any road or bridge or part thereof, in excess of an amount of \$200, nor shall any machinery or other appliances to be used in road construction, in excess of such amount, be purchased without the approval of the county superintendent of highways.

(6) To have general charge of the roads and bridges of his town or district, to keep the same in repair and to improve them so far as practicable.

(7) To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to the town or district wherever the same may be found and not allow the same to go to waste, and not lend the same except to persons employed to work the roads by contract or otherwise.

(8) To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, post and guide boards with plain inscription thereon, in letters and figures giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cocklebur, mustard, yellow dock, indian mallow and gypson [jimson] weed from seeding and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway by causing the same to be cut and destroyed prior to the seeding of the same; and at the farthest prior to September 1st in each and every year.

And said commissioner may, at his discretion, adopt any suitable and convenient mode of supply [supplying] water in troughs conveniently situated on the public highway for public use.

(9) To issue his warrant or order on the treasurer for the payment of all moneys paid out by such treasurer.

(C) The highway commissioner shall annually make report in writing, showing:

(1.) The amount of poll tax assessed, how much paid and how much delinquent.

(2) The amount of road and bridge money received by him and a full and detailed statement as to how and where expended and the balance, if any, unexpended.

(3) The amount paid for damages in laying out, altering, widening or vacating roads and right-of-way for ditches.

(4) The amount of liabilities incurred and not paid; and if such liabilities are undetermined they shall be estimated.

(5) Any additional matter concerning the roads and bridges of the district he may think expedient and proper to report.

In counties under township organization such reports shall be made to the board of town auditors at the semi-annual meeting, immediately preceding the annual town meeting. In counties not under township organization such reports shall be made not later than the last Tuesday in March to the district clerk, who shall file the same in his office and he shall record such report at large in the records of said road district.

§ 53. The commissioner of highways shall receive for each and every day he is necessarily employed in the discharge of his duties a salary to be fixed by the county board in counties not under township organization, and by the board of town auditors in counties under township organization, not to exceed in counties of the first class three dollars (\$3.00) per day, in counties of the second class four dollars (\$4.00) per day, and in counties of the third class five dollars (\$5.00) per day, upon a sworn statement to be filed by such commissioner in the office of the town or district clerk, showing the number of days he was employed and the kind of employment and giving the dates thereof.

The town or district clerk shall receive three dollars per day for each day he shall be required to meet with the highway commissioner and the same amount per day for the time he shall be employed as clerk of elections or in canvassing the returns of such election. He shall receive no other per diem. In addition to the above he shall also receive fees for the following services, to be paid out of the town or district fund, except where otherwise specified:

For serving notice of election or appointment upon district officers, as required by this Act, twenty-five cents each.

For posting up notices required by law, twenty-five cents each.

For copying any record in his office and certifying to the same, ten cents for every hundred words, to be paid by the person applying for the same.

The *ex-officio* treasurer shall in addition to the other compensation to which he is by law entitled, receives two (2) per cent on all moneys paid out by him, up to and including two thousand dollars (\$2,000) and one (1) per cent on all moneys paid out by him in excess of two thousand dollars (\$2,000), excepting such amounts as shall have been paid to his successor; also except all moneys paid out in payment of bonds or other borrowed money.

The justice of the peace whose services are required by this Act shall receive two dollars per day for his services.

§ 2. Sections 158, 159, 160, 161, 162, 163, 164, 165, 166, and 167 of an Act entitled, "An Act to revise the law in relation to roads and

bridges," approved June 27, 1913, in force July 1, 1913, as amended, are hereby repealed.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

LAYING OUT, ALTERING, VACATING, WIDENING ROADS.

§ 1. Amends section 74, Act of 1917.

§ 74. Reducing width of roads.

(HOUSE BILL No. 645. APPROVED JUNE 25, 1917.)

AN ACT to amend section 74 of "*An Act to revise the law in relation to roads and bridges,*" approved and in force July 1, 1913, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 74 of the law in relation to roads and bridges, approved and in force July 1, 1913, be and the same is hereby amended to read as follows:

§ 74. REDUCING WIDTH OF ROADS.] The commissioners of highways of any town or road district may in their discretion reduce the width of any existing public highway in any town or road district to a width of forty feet when the same is petitioned for by a majority of the land owners along the line of said road within said town or district. When possible the land so vacated by reducing the width of the road shall be taken equally from both sides of the public highway. In cases of natural obstruction on one side of the public highway or where the said road extends along the right-of-way of any railroad, river or canal, the commissioners are authorized to reduce the width of road on one side only, *provided* that any highway that has been heretofore laid out and dedicated to the public use and which has been set apart in any county by the proper authorities as a State aid road shall not be reduced in width without the consent in writing of the Department of Public Works and Buildings.

APPROVED June 25, 1917.

LEGALIZING ELECTIONS FOR ISSUANCE OF BONDS FOR CONSTRUCTION OF BRIDGES.

§ 1. Legalizing elections held and bonds issued for construction of bridges and approaches.

(HOUSE BILL No. 377. APPROVED JUNE 11, 1917.)

AN ACT to legalize elections held under and by virtue of section 61, of an Act entitled, "*An Act to revise the law in relation to roads and bridges,*" approved June 27, 1913, in force July 1, 1913, and all Acts upon and proceedings taken by virtue of such elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all elections held under and by virtue of section 61 of an Act entitled, "*An Act to revise the law in relation to roads and bridges,*" approved June 27, 1913 in force July 1, 1913, where any such elections in any town or district were held and

conducted at the place of the last annual town or district meeting in any such town or district, are hereby made and held to be legal, valid and binding, notwithstanding that any such town or district had theretofore been divided into two or more election precincts, and any bonds which have been or may hereafter be issued in pursuance of such elections and proceedings shall be and same are hereby, made the legal, valid and binding obligations of any such town or district, notwithstanding any objection which, except for the passage of this Act, could have been made to the legality of such bonds, or such elections, or such bond proceedings or to the taxes levied or to be levied and collected for the payment of the principal of, and the interest on, such bonds.

APPROVED June 11, 1917.

MOTOR VEHICLES—ACT OF 1911 AMENDED.

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| § 1. Amends sections 3, 4, 7, 8, 12 and 13, and section 15b. | § 8. Non-resident not to register under certain conditions. |
| § 3. Numbers to be displayed upon motor vehicles and motor bicycles. | § 12. Local ordinances. |
| § 4. Lamps. | § 13. License of chauffeurs — renewals. |
| § 7. Registration in case of sale. | § 15b. Manufacturers serial not to be removed — penalty. |

§ 2. When Act takes effect.

(HOUSE BILL NO. 778. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911, in force July 1, 1911, as subsequently amended, by amending sections 3, 4, 7, 8, 12 and 13 thereof, and by adding thereto one new section to be known as section 15b.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs, and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911, in force July 1, 1911, as subsequently amended, be and the same is hereby amended by amending sections 3, 4, 7, 8, 12 and 13 thereof and adding

thereto one new section to be known as section 15b said amended sections and additional sections to read as inserted herein at length.

§ 3. The Secretary of State shall supply and deliver to the address of the owner of each licensed motor vehicle or motor bicycle registered in his office, as herein provided, charges prepaid, and without additional cost, one number plate for each motor bicycle, which shall be of a size one-third of that required for motor vehicles, as hereinafter provided, and which shall be conspicuously displayed thereon, and two number plates for each motor vehicle other than a motor bicycle. All such number plates issued during any calendar year shall be of like design and color combination, simple and inexpensive as may be for the purpose required, and the number thereon shall correspond with the number of the certificate of registration issued by the Secretary of State, as hereinbefore provided, and such number plates shall be conspicuously displayed upon the front and back of the motor vehicle to which they are assigned as herein provided, whenever the same shall be driven or used upon the public streets, roads, turnpikes, parks, parkways, drives or other public highways in this State, and shall be firmly attached to the said motor vehicle so that they will not swing loosely, and the rear number plate shall not be less than twenty (20) inches above the surface of the ground, and both shall at all times be kept clean and free from grease and dirt. The figures upon such number plates shall be separate Arabic numerals, not less than four (4) inches in height, and each stroke shall be of a width not less than one-half ($\frac{1}{2}$) inch, and said number plates shall also bear as part of such number the letters "Ill." and each of such letters shall be not less than one inch in height. Such number plates shall be of a distinctly different color for each calendar year, and there shall be at all times a marked contrast between the color of the number plates and that of the figures and letters thereon: *Provided, however*, the same combination of colors may be repeated after the lapse of five (5) years from the date of their first issue. The owner of such motor vehicle shall not be required to place any other marks of identity upon such motor bicycle or vehicle.

§ 4. When upon any public highway in this State, during the period from sunset to one hour before sunrise, every motor bicycle shall carry one lighted lamp and every motor vehicle two lighted lamps showing white lights visible at least two hundred (200) feet in the direction toward which each motor bicycle or motor vehicle is proceeding and shall also exhibit at least one lighted lamp which shall be so situated as to throw a red light visible in the reverse direction. The number plate at the back of the motor vehicle provided for in section three (3) shall be firmly attached to the vehicle, so that it will not swing loosely, and shall be so lighted that the numbers on said plate shall be plainly legible and intelligible at a distance of one hundred fifty (150) feet: On approaching another vehicle proceeding in an opposite direction, and when within not less than two hundred and fifty feet of same, any person in charge of a motor bicycle or motor vehicle equipped with electric headlight or headlights, shall dim or extinguish such headlight or headlights. During the period from one hour after sunset to one

hour before sunrise every motor bicycle or motor vehicle which is standing on any road, highway or street shall display a light on the front and at the rear of the same.

§ 7. Immediately upon the sale and delivery of any motor vehicle or motor bicycle which has been registered as herein provided prior to the date of such sale by any person other than a manufacturer or dealer, the vendor shall remove the number plate or plates from the motor vehicle or motor bicycle so sold, and within ten days after the date of such sale the vendor shall send a statement of such sale, showing the date thereof, the registration number of the motor vehicle or motor bicycle so sold, and the name of the purchaser to the Secretary of State; and thereupon such number plate or plates shall cease to apply to the motor vehicle or motor bicycle so sold, and the purchaser shall register the same as in the case of an original registration. Upon the payment to the Secretary of State of a fee of one dollar any other motor vehicle of like horse-power or capacity or less, or any motor bicycle owned by such vendor may be registered by such vendor, and the number plate or plates so removed from the motor vehicle or motor bicycle so sold shall be assigned by the Secretary of State and shall apply to and be used upon such other motor vehicle or motor bicycle until the thirty-first day of December then next ensuing: *Provided, however*, that in case the horse-power or capacity of any motor vehicle to which the unexpired term of the registration of the vehicle sold is sought to be applied would have required the payment of a larger registration fee than was paid upon the registration of the motor vehicle so sold, the vendor thereof shall, before the number plates may be applied to or used upon such motor vehicle of greater horse-power, or capacity, pay to the Secretary of State such a sum as added to the amount of the original registration fee paid for the year in which such motor vehicle is sold, equals the amount of the registration fee provided by this Act to be paid upon the registration of a motor vehicle of such greater horse-power or capacity.

§ 8. The provisions of sections two (2), three (3), five (5), six (6) and seven (7) of this Act shall not apply to any motor vehicle or motor bicycle owned by non-residents of this State (foreign corporations excepted): *Provided*, the owner thereof has complied with any law requiring the registration of motor vehicles or motor bicycles or the names of the owners thereof in force in the city, state, foreign country or province, territory or federal district of his residence: *Provided*, that the registration number showing the initial or abbreviation of the name of such city, state, foreign country or province, territory or federal district, shall be displayed on such vehicle substantially as is provided in section three (3) of this Act: *Provided, further*, that a non-resident within the meaning of this Act shall be held and defined to mean a person temporarily sojourning within this State for a period of sixty days or less in any one year.

§ 12. No owner of a motor vehicle or motor bicycle who shall have obtained a certificate from the Secretary of State and paid the registration fee as hereinbefore provided, shall be required by any city, village,

town or other municipal corporation within the State other than that within which said owner resides, to pay any tax or license fee for the use of such motor vehicle or motor bicycle; and no owner of a motor vehicle except motor trucks and motor driven commercial vehicles and motor vehicles which are used for public hire, or motor bicycle, who shall have obtained such certificate and paid such fee shall be required by the city, village or town within which he resides (if he resides within a city, village or town), to pay a tax or license fee for the use of such motor vehicle or motor bicycle in excess of the sum of ten dollars per annum for motor vehicles or motor bicycles of thirty-five horse-power or less or in excess of the sum of twenty dollars per annum for motor vehicles or motor bicycles of more than thirty-five horse-power in case such city, village or town within which he resides shall have a population of 150,000 or over, or in excess of the sum of five dollars per annum for motor vehicles or motor bicycles of thirty-five horse-power or less or in excess of the sum of ten dollars per annum for motor vehicles or motor bicycles of more than thirty-five horse power in case such city, village or town within which he resides shall have a population of less than 150,000.

Nor shall such owner be required to display upon his motor vehicle or motor bicycle any other number than the number issued by the Secretary of State, nor be limited as to speed upon any public street, avenue, road, turnpike, driveway, parkway, or any other public place, at any time when the same is or may hereafter be opened to the use of persons having or using other vehicles, nor be required to comply with other provisions or conditions as to the use of said motor vehicles or motor bicycles except as in this Act provided: *Provided, however*, that nothing in this section contained shall be construed to apply to, or include, any speedway created, provided for, or maintained by the local authorities of any city, village, town or other municipal corporation within the State: *And, provided, further*, that the local authorities having jurisdiction over the public parks shall not by the terms of this Act be prohibited from adopting and enforcing such reasonable ordinances, rules or regulations concerning the speed at which motor vehicles or motor bicycles may be operated within any such parks, provided the rate of speed of motor vehicles or motor bicycles fixed by such ordinances, rules or regulations shall not be lower than the rate fixed for other vehicles, and provided such authority shall, by signs conspicuously placed, indicate the rate of speed permitted by such ordinances, rules or regulations: *And, provided, further*, that motor vehicles or motor bicycles may be excluded from any cemetery or grounds used for the burial of the dead, by the authorities having jurisdiction over the same. Except as in this section provided, no city, town or village or other municipality shall have power to make any ordinance, by-laws or resolutions limiting or restricting the speed of motor vehicles or motor bicycles, and no ordinance, by-law or resolution heretofore or hereafter made by any city, village or town or other municipal corporation within this State, by whatever name known or designated, in respect to or limiting the speed of motor vehicles or

motor bicycles shall have any force, effect or validity, and they are hereby declared to be of no validity or effect: *Provided*, that nothing in this Act contained shall be construed as affecting the power of municipal corporations to make and enforce ordinances, rules and regulations affecting motor trucks and motor driven commercial vehicles and motor vehicles which are used within their limits for public hire, or from making and enforcing reasonable traffic and other regulations except as to rates of speed not inconsistent with the provisions hereof.

§ 13. An application for a license to operate motor vehicles as a chauffeur, who is hereby defined to mean any person operating a motor vehicle as a mechanic or employee, and any person operating a motor vehicle for hire or for pecuniary profit, shall be made by mail or otherwise to the Secretary of State, or his duly authorized agent, upon blanks prepared under his authority. The Secretary of State shall appoint examiners and cause examinations to be held at convenient points throughout the State as often as may be necessary. Such applications shall be accompanied by the fee provided herein and by a photograph of the applicant in such numbers and forms as the Secretary of State shall prescribe, and such photographs shall have been taken within thirty days prior to the filing of such application. Such applications shall also be accompanied by a written statement signed by at least two reputable citizens that the applicant is a fit and proper person, competent to operate a motor vehicle.

Before such a license is granted the applicant shall pass such an examination as to his qualifications as the Secretary of State shall require and no license shall be issued until the Secretary of State, or his authorized agent is satisfied that the applicant is a proper person to receive it, and no chauffeur's license shall be issued to any person under eighteen years of age. A distinguishing number or mark shall be assigned to each chauffeur to whom a license shall be issued and the license shall be in such form as the Secretary of State may determine; it may contain special restrictions and limitations concerning the type of motor car, horse-power, design and other features of the motor vehicle which the licensee may operate. It shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, a brief description of the licensee for the purpose of identification and a photograph of the licensee. The holder of every such license shall endorse his usual signature on the margin of the license in a space to be provided for that purpose, immediately upon receipt of said license, which shall not be valid until so endorsed. Every application for a license filed under the provisions of this section shall be sworn to and shall be accompanied by a fee of \$5.00.

Upon receipt of such an application, the Secretary of State shall record the same in his office in the manner designated for recording the owners of motor vehicles, and when the applicant shall have passed the examination herein provided for, the number or mark assigned to such applicant, together with the fact that such applicant has passed such examinations, shall be noted in said record, and the names of the licensed

chauffeurs shall be furnished the county clerks, sheriffs and the chiefs of police in the same manner as provided for in section 2 in respect to owners.

No person shall operate or drive a motor vehicle as a chauffeur upon a public highway of this State, unless such person shall have complied in all respects with the requirements of this section: *Provided, however,* that a non-resident chauffeur who has registered under the provisions of the law in force in the city, State, foreign country or province, territory or Federal district, of his residence, substantially equivalent to the provisions of this section shall be exempt from license hereunder, while temporarily sojourning within this State for a period of sixty days, or less, in any one year. Licenses may be renewed annually upon the filing of application accompanied by a fee of \$3.00: *Provided,* that if it shall be made to appear to the satisfaction of the Secretary of State that any chauffeur shall have driven or operated a motor vehicle within this State while under the influence of intoxicating liquor the Secretary of State shall thereupon immediately cancel the license of said chauffeur and shall not renew the same until after the expiration of the period of one year from and after the date of such cancellation.

§ 15b. Any person having in his or her possession any motor bicycle or motor vehicle from which the manufacturer's serial number, or any other manufacturers' trade or distinguishing number or identification mark, has been removed, defaced, covered or destroyed for the purpose of concealing or destroying the identity of such motor bicycle or motor vehicle shall be liable to a fine of not more than two hundred dollars (\$200.00) or imprisonment in the county jail for a period not to exceed six (6) months, or both.

§ 2. These amendments shall be in full force and effect on and after January 1, 1918.

APPROVED June 26, 1917.

MOTOR VEHICLES—REGISTRATION FEES.

§ 1. Amends sections 2, 5 and 19, Act of 1911.

§ 2. Registration by owners of motor vehicles and motor bicycles — fees — certificate of registration—duplicate certificates and plates — lists of owners mailed to county clerks and sheriffs.

§ 5. Registration by manufacturers and dealers — certificate of registration and number plates — lists mailed to county clerks and sheriffs.

§ 19. Disposition of registration fees.

§ 2. When Act to take effect.

(HOUSE BILL NO. 650. APPROVED MAY 26, 1917.)

AN ACT to amend sections 2, 5 and 19 of an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles and uniform rules regulating the use and speed thereof; prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicle or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911; in force July 1, 1911, and all amendments thereto in force January 1, 1916.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 2, 5 and 19 of an Act entitled, "An Act defining motor vehicles and providing for the registration of the same and of motor bicycles, and uniform rules regulating the use and speed thereof[:] prohibiting the use of motor vehicles without the consent of the owner and the offer or acceptance of any bonus or discount or other consideration for the purchase of supplies or parts for any such motor vehicles or for work or repairs done thereon by others, and defining chauffeurs and providing for the examination and licensing thereof, and to repeal certain Acts therein named," approved June 10, 1911, in force July 1, 1911, and all amendments thereto in force January 1, 1916, be and the same are hereby amended to read as follows:

§ 2. Every owner of a motor vehicle or motor bicycle which shall be driven in this State, shall, except as otherwise provided in this Act, within ten days after he becomes the owner of such motor vehicle or motor bicycle, file in the office of the Secretary of State an application for a certificate of registration properly sworn to, setting forth his name and address, with a brief description of the vehicle, or bicycle, to be registered, including the name of the maker, factory and engine numbers, style of vehicle or bicycle and the motor power and (except in the case of electrically propelled vehicles) the amount of such motor power stated in figures of horse power, in accordance with such standard rating as may be prescribed by the Secretary of State, on a blank to be prepared and furnished by such Secretary of State for that purpose and shall pay to said Secretary of State for each of the calendar years 1918 and 1919, a registration fee for motor bicycles and motor vehicles, so registered, at the following rates: For the calendar years beginning

January 1, 1918, and ending December 31, 1919, for each motor bicycle, the sum of \$3.00 per annum; for each motor vehicle of 10 horse power and less, the sum of \$4.50 per annum; for each motor vehicle of 25 horse power and more than 10 horse power the sum of \$6.00 per annum; for each motor vehicle of 35 horse power and more than 25 horse power the sum of \$9.00 per annum; for each motor vehicle of 50 horse power and more than 35 horse power the sum of \$16.00 per annum; for each motor vehicle of more than 50 horse power, the sum of \$20.00 per annum; for each and every electrically propelled motor vehicle up to and including two tons capacity, the sum of \$10.00 per annum; and for each and every electrically propelled motor vehicle over two tons capacity, the sum of \$20.00 per annum; and shall pay to said Secretary of State for each calendar year from and after January 1, 1920, a registration fee for motor bicycles and motor vehicles so registered at the following rates: For each motor bicycle, the sum of \$4.00 per annum; for each motor vehicle of 10 horse power and less, the sum of \$6.00 per annum; for each motor vehicle of 25 horse power and more than 10 horse power, the sum of \$8.00 per annum; for each motor vehicle of 35 horse power and more than 25 horse power, the sum of \$12.00 per annum; for each motor vehicle of 50 horse power and more than 35 horse power the sum of \$20.00 per annum; for each motor vehicle of more than 50 horse power, the sum of \$25.00 per annum; for each and every electrically propelled motor vehicle up to and including two tons capacity, the sum of \$12.00 per annum; and for each and every electrically propelled motor vehicle over two tons capacity, the sum of \$25.00 per annum: *Provided*, the first registration fee for each motor vehicle or motor bicycle shall be reduced 25 per cent if payable during the second quarter, 50 per cent if payable during the third quarter, and 75 per cent if payable during the fourth quarter of the calendar year, and that no certificate for reregistration shall issue for less sum than the fee required for a calendar year. Said registration shall be made on the date the application is received and filed by the Secretary of State and expire with the last day of the calendar year in which such registration is made. Upon the filing in the office of the Secretary of State of said application and the payment of the registration fee, as hereinbefore provided, the Secretary of State or his duly authorized agent, shall, without further fee, assign to such motor vehicle, or motor bicycle, as described in such application, a distinctive number, and shall issue to the owner of such motor vehicle or motor bicycle, as it is described in the application filed, a certificate of registration, which certificate shall be in the form of a card, which may be carried in the pocket, and which certificate shall contain the descriptive number so assigned to such motor vehicle or motor bicycle, the name and address of the owner, a brief description of such motor vehicle or motor bicycle, stating the name of the manufacturer, the motor power, and the amount of such motor power stated in figures of horse power or the capacity of such motor vehicle or motor bicycle if electrically propelled. Upon filing in the office of the Secretary of State an affidavit to the effect that the original front or rear motor vehicle number plate or original

motor bicycle number plate is lost, stolen, or destroyed, a duplicate certificate of registration or duplicate motor bicycle number plate will be furnished at 50 cents each and a duplicate front and rear motor vehicle number plate will be furnished at \$1.00 each. The Secretary of State shall keep an alphabetical list of all owners with the address of each, the registration number, the date of filing of the application and the description of the motor vehicle or motor bicycle; and shall not thereafter assign a number once assigned to a motor vehicle or motor bicycle owned by any other person, if the owner of the motor vehicle or motor bicycle to whom such number was first assigned shall, not less than twenty (20) days prior to the day of expiration of said registration, file an application accompanied by the fees herein specified for the registration of [or] reregistration of a motor vehicle or motor bicycle and request the assignment of said number to a motor vehicle or motor bicycle owned by him. The Secretary of State shall, at the end of each calendar month, except the month of December in each year, print and mail to the clerks and the sheriffs of all the counties, and to the chiefs of police of cities and towns of five thousand population and over, in this State, copies of lists of registrations made in accordance herewith showing the number of motor vehicles and the motor bicycles and the names and addresses of the owners thereof.

§ 5. Every person, firm, association or corporation, manufacturing or dealing in motor vehicles may, instead of registering each motor vehicle so manufactured or dealt in, make a verified application upon a blank to be furnished by the Secretary of State for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer, such application to contain: (a) The trade name or names of the make of the motor vehicle or vehicles manufactured or dealt in by such manufacturer or dealer, including the character of the motor power, the amount of such motor power (except in case of electrically propelled motor vehicles) stated in figures of horse power, and (b) the name, and business address, of such manufacturer or dealer. Every applicant when making such an application shall pay to the Secretary of State a registration fee at the following rates: For the calendar year beginning January 1, 1918, and ending December 31, 1919, the sum of \$10.00 per annum; and for each calendar year from and after January 1, 1920, the sum of \$12.00 per annum. Upon the payment of such registration fee such application shall be filed and recorded in the office of the Secretary of State in the manner provided in section two (2) of this Act. There shall thereupon be assigned and issued to such manufacturer or dealer a general distinctive number, and without further expense to him there shall be issued and promptly delivered to such manufacturer or dealer at his business address a certificate of registration in such form as the Secretary of State shall prescribe, and two number plates with a number corresponding with the number of such certificates of registration. The number plates so issued shall be of distinctly different from [form] than those provided for in section 3 of this Act, but shall correspond in color and size of numbers and letters with the number plates for motor vehicles provided for in said section 3

thereof [hereof]. By filing application for the same such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon payment to the Secretary of State for each set of two plates the following sums to-wit: For each set obtained during the calendar years beginning January 1, 1918, and ending December 31, 1919, the sum of \$10.00 per annum and for each such set obtained during any calendar year from and after January 1, 1920, the sum of twelve dollars per annum. Such number plates shall be conspicuously displayed upon the front and back of every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such registration shall be renewed annually in the same manner and on the payment of the same fee as provided in this section for original registration such renewal to take effect on the 1st day of January of each year. The provisions of section 2, relating to first registrations made in compliance therewith and durations of renewals shall apply to registration under this section. The names of the licensed manufacturers and dealers shall be furnished the county clerks, sheriffs and the chiefs of police in the same manner as provided for in section 2 in respect to owners.

§ 19. All moneys received by the Secretary of State as registration fees and for the examination and licensing of chauffeurs as provided in this Act shall be deposited in the State treasury and set apart as a special fund to be known as the road fund. The road fund shall, if and when the State of Illinois shall incur any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on such bonded indebtedness then due and payable and for no other purpose, and the surplus, if any, after the payment of the principal and interest on such bonded indebtedness then annually due, shall be used for the improvement of the highways of the State in accordance with the provisions of article IV of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, and all Acts amendatory thereof.

§ 2. This Act shall take effect and be in force on and after the first day of January, 1918.

APPROVED May 26, 1917.

POLL TAX.

§ 1. Amends section 55, Act of 1913.

§ 55. Poll tax.

(HOUSE BILL NO. 906. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending section fifty-five (55) thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended, be, and the same

is hereby amended, by amending section fifty-five (55) thereof, to read as follows:

§ 55. At their annual meeting to be held on the second Tuesday after the annual town meeting or district election in each year, each board of highway commissioners shall make out a list of able-bodied men in their town or district between the ages of twenty-one (21) and fifty (50) years and deliver the same to the town or district treasurer on or before the first day of May in each year, and assess at such meeting against each person upon such list a sum of not less than one (1) nor more than three (3) dollars, as a poll tax for highway purposes, to be paid in cash to such treasurer by the first Monday of June of each year: *Provided*, that paupers, idiots, lunatics and such others as are exempt by law shall not be compelled to pay a poll tax for highway purposes. The commissioners shall also, within ten (10) days after such list is delivered to the treasurer of the road and bridge fund, cause written or printed notices to be posted, stating the time when and place where such tax must be paid, in ten of the most public places in the township; or road district as the case may be and if this poll tax shall not be paid by the first Monday of June in such year it shall be the duty of the commissioners of highways, in the name of the district or town, to bring suit therefor against such persons before some justice of the peace having jurisdiction thereof. Summons shall be issued and returned in the same manner as provided by law in other cases. If judgment is rendered against defendant the court shall find in such judgment that the same is for poll tax unpaid, and shall endorse the same on the execution, if one is issued. No property belonging to the defendant shall be exempt from levy to satisfy such execution: *Provided, also*, that on petition of not less than twenty-five (25) legal voters of any town or district, asking to have the proposition to abolish the poll tax submitted to the legal voters of said town, or district, filed with the town or district clerk not less than fifteen (15) days before the annual town meeting or annual district election, then the town or district clerk shall state in the notice of the annual town meeting or district election that the legal voters of such town or district may vote by ballot for or against the payment of all poll tax, and if a majority of all the ballots cast are against the payment of a poll tax, then that part of this section which provides for the levying of a poll tax shall no longer be in force in such town or district.

APPROVED June 25, 1917.

REFERENDUM ON BOND ISSUE TO CONSTRUCT HARD ROADS.

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| <p>§ 1. Provides for referendum on issuance of \$60,000,000.00 in bonds, to build hard roads.</p> <p>§ 2. Department of Public Works and Buildings to supervise and control work, etc.</p> <p>§ 3. The amount and form of bonds.</p> <p>§ 4. Payment for work—vouchers.</p> <p>§ 5. Report of Department of Public Works and Buildings to Governor.</p> <p>§ 6. Retirement of bonds—taxation.</p> <p>§ 7. Specifications—cost, etc.</p> <p>§ 8. Time and manner of construction of roads.</p> | <p>§ 9. Description of the various routes.</p> <p>§ 10. Utilization of hard roads and payment to county for the same in certain cases.</p> <p>§ 11. Condemnation of private property.</p> <p>§ 12. Control and maintenance of highways vested in Department of Public Works and Buildings.</p> <p>§ 13. Question submitted to people—form of ballot.</p> <p>§ 14. Publication of notice of election by Secretary of State.</p> <p>§ 15. Act irrevocable.</p> <p>§ 16. Publication of notice shall be due notice to people.</p> |
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(HOUSE BILL NO. 559. APPROVED JUNE 22, 1917.)

AN ACT in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a State-wide system of durable hard-surfaced roads be constructed by the State of Illinois, as soon as practicable, upon public highways of the State along the hereinafter described routes, as near as may be, and that the State of Illinois (acting through its officers) be, and is hereby, authorized and empowered to issue and sell, and provide for the retirement of, bonds of the State of Illinois to the amount of sixty million dollars (\$60,000,000.00) for the purpose of providing means for the payment of the cost of the construction of said system of roads: *Provided, however,* that before this law, which hereby authorizes such debt to be contracted and levies the tax for the payment of the principal and interest of the bonds to be issued as an evidence of such debt, shall go in to full force and effect it shall, at the general election in November, A. D. 1918, be submitted to the people and receive a majority of the votes cast for members of the General Assembly at such election.

§ 2. That the issuance, sale and retirement of said bonds and the construction of said State-wide system of roads and all work incidental thereto shall be under the general supervision and control of the Department of Public Works and Buildings, subject to the approval of the Governor of this State; and said Department of Public Works and Buildings is hereby authorized, empowered and directed to take whatever steps may be necessary to cause said bonds to be issued and sold and to cause said system of roads to be constructed at the earliest possible time, consistent with good business management, after this Act becomes fully operative. Said Department of Public Works and Buildings shall have power to make and shall make all final decisions, affecting the work provided for in this section, and all the rules and regulations it may deem necessary for the proper management and conduct of said work and for

carrying out all of the provisions of this Act in such manner as shall be to the best interest and advantage of the people of this State. The Director of Public Works and Buildings shall make it the special duty of the Superintendent of Highways, acting under the direction, supervision and control of said Director, to see that such provisions are so carried out in good faith. Said Department of Public Works and Buildings is hereby given power and authority to purchase and supply any labor, tools, machinery, supplies and materials needed for said work. All contracts let for the construction of said work shall be let to the lowest responsible bidder, or bidders, and all of said State bonds shall be sold to the highest and best bidder, or bidders, by said Department of Public Works and Buildings, on such terms and conditions, and on open competitive bidding after public advertisement in such manner and for such times, as may be prescribed by said Department of Public Works and Buildings, subject to the approval of the Department of Finance. Successful bidders for the construction of said work shall enter into contracts furnished and prescribed by said Department of Public Works and Buildings and shall give good and sufficient bonds to insure the proper and prompt completion of said work in strict accordance with the provisions of said contracts.

§ 3. That for the purpose of carrying out the provisions of this Act said sum of sixty million dollars (\$60,000,000.00), to be derived from the sale of said bonds, be, and is hereby, appropriated to said Department of Public Works and Buildings, such money to be payable out of the State bond road fund, hereinafter provided for; that for the purpose of raising said sum so appropriated to carry out the provisions of this Act, said bonds of the State of Illinois to an amount not exceeding said sum of sixty million dollars (\$60,000,000.00) shall be issued and sold as herein provided; that said bonds shall bear interest, payable annually, from the date of their issue, at the rate of three and one-half per centum per annum, unless financial conditions make a different rate advisable, in which case said Department of Public Works and Buildings may, with the Governor's approval, issue part or all of said bonds at any other rate of interest not exceeding four per centum per annum; that said bonds shall be serial bonds and be dated, issued and sold from time to time as said road building work progresses and in such amounts as may be necessary to provide sufficient money to pay for said work and the expenses incidental thereto; and that each one of said bonds shall be made payable within twenty years from the date of its issue. Each one of said bonds shall be in the denomination of \$500.00, or some multiple thereof. Said bonds shall be engraved and printed by said Department of Public Works and Buildings, under the direction of the Governor, and be signed by the Governor and attested by the Secretary of State under the seal of the State and countersigned by the State Treasurer and by the Auditor of Public Accounts. Interest coupons with lithographed fac-simile signatures of such officers, may be attached to said bonds. Said bonds may, at the request of owners, be registered with the Auditor of Public Accounts. Said bonds shall be deposited, until sold, with the State Treasurer; and when sold, the proceeds of

said bonds shall be paid into the State treasury and be kept in a separate fund which shall be known as the State Bond Road Fund.

§ 4. That all payments for work done or obligations incurred under the provisions of this Act shall be made by the State Treasurer out of said State Bond Road Fund (and said fund shall be used only for the purposes mentioned in this Act) upon warrants drawn by the Auditor of Public Accounts, based upon bills of particulars and vouchers certified by the proper official of said Department of Public Works and Buildings, having knowledge of the facts upon which such vouchers are based, and audited and approved by the superintendent of highways and the Director of Public Works and Buildings, and approved by the Governor, acting through the Department of Finance.

§ 5. That said Department of Public Works and Buildings shall, on or before the 1st day of February each year, make a full report to the Governor of all business transacted by said department in carrying out the provisions of this Act, during the year ending on the preceding 31st day of December. The Governor may cause the books and affairs of said department, relating to the work provided for herein, to be audited in each year.

§ 6. That each year, after this Act becomes fully operative, and until all of said bonds shall have been retired, there shall be included in and added to the tax levied for State purposes, a direct annual tax for such amount as shall be necessary and sufficient to pay the interest annually, as it shall accrue, on each and every bond issued under the provisions of this Act, and also to pay and discharge the principal of such bonds at par value, as such bonds respectively fall due; and the respective amounts of such direct annual tax are hereby appropriated for that specific purpose: *Provided, however*, that moneys in the 'Road Fund' created by and under the provisions of the Motor Vehicle Law of this State, approved June 10, 1911, and all Acts amendatory thereof, shall first be appropriated and used for the purpose of paying and discharging annually the principal and interest on such bonded indebtedness then due and payable. The required rate of such direct annual tax shall be fixed each year by the officers charged by law with fixing the rate for State taxes on the valuation of real and personal property in this State subject to taxation, in accordance with the provisions of the statutes in such cases: *Provided, however*, that if money from other sources of revenue has been appropriated and set apart for the same purpose for which said direct annual tax is hereby levied and imposed, then said officers shall, in fixing said rate of said direct annual tax, make proper allowance and reduction for any such money so appropriated and set apart from other sources of revenue. Said direct annual tax shall be, and it is hereby, levied and imposed, as herein provided, and such direct annual tax shall be assessed, levied and collected in the manner prescribed by law in the case of general State taxes, and shall be paid into the treasury of the State by the officers legally entrusted with the duty of collecting and accounting for such general State taxes: *Provided, however*, that no such direct annual tax shall be so levied for any year in which a sufficient amount of money from other sources of revenue has been appropriated and set apart to pay the interest, as it

shall accrue, on said bonds for that year and also to pay and discharge the principal of any of said bonds falling due during such year."

§ 7. That said proposed State-wide system of roads shall be constructed in strict accordance with the plans, specifications, estimates of cost and contracts of said Department of Public Works and Buildings. Said Department of Public Works and Buildings shall construct upon and along said roads durable hard-surfaced roadways which will in the judgment of said Department of Public Works and Buildings and its chief highway engineer remain in good condition, with low reasonable maintenance cost, until after all of said State bonds have matured. Said hard-surfaced parts of said roads shall be constructed of sufficient widths to meet the requirements of the reasonably expected traffic thereon, such widths, except in extreme cases, to be not less than ten feet nor more than eighteen feet. *Provided*, that where the contour of the surface permits and is practicable that in making fills, excavations and gradings for and in construction of such hard-surfaced roads, the surface of the earth alongside shall be so left that vehicles may drive over same and such surface shall be of such grade that vehicles can turn on or off such hard-surfaced roads with safety and convenience. The old bridges which form parts of the present roads, shall, wherever such bridges are in proper condition, be used in said proposed system. Said Department of Public Works and Buildings shall immediately after this Act has been approved by the people and before entering into contracts for the construction of said roads, cause to be made reconnaissance [reconnaissance] surveys and maps, plans and specifications of said roads, together with approximate estimates of the cost of constructing said roads.

§ 8. That said Department of Public Works and Buildings shall divide said roads into convenient sections for construction purposes, and shall make all reasonable efforts to have the entire State-wide system of roads completed within five years after the first construction contracts therefor are awarded. The construction work shall, so far as practically possible, be commenced in the different sections of the State at approximately the same time and be carried on continuously until all work is completed.

§ 9. That the general location of the routes upon and along which said proposed roads are to be constructed shall be substantially as described in this section, so as to connect, with each other, the different communities and the principal cities of the State: *Provided, however*, that said Department of Public Works and Buildings shall have the right to make such minor changes in the location of said routes as may become necessary in order to carry out the provisions of this Act; *and, provided, also*, that said Department of Public Works and Buildings shall not improve hereunder, any road or part thereof which lies within any incorporated city, town or village in which the building of State aid roads may be prohibited by the Act of this State entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, and the amendments thereto:

ROUTE No. 1.

Beginning in a public highway at the southern limits of the city of Chicago and running along such highway in a general southerly direction to Metropolis, affording Chicago, Chicago Heights, Watseka, Danville, Paris, Marshall, Robinson, Lawrenceville, Mt. Carmel, Albion, Grayville, Carmi, Harrisburg, Vienna, Metropolis and the intervening communities reasonable connections with each other.

ROUTE No. 2.

Beginning in a public highway near Beloit, Wisconsin, and running along such highway in a general southerly direction to Cairo, affording Rockford, Oregon, Dixon, Mendota, Peru, La Salle, El Paso, Bloomington, Clinton, Decatur, Pana, Vandalia, Centralia, Duquoin, Carbondale, Anna, Cairo and the intervening communities reasonable connections with each other.

ROUTE No. 3.

Beginning in a public highway at Morrison and running along such highway in a general southerly direction to Chester, affording Morrison, Prophetstown, Moline, Rock Island, Aledo, Monmouth, Macomb, Rushville, Beardstown, Virginia, Ashland, Alexander (running over Route No. 10 between Alexander and Jacksonville), Jacksonville, White Hall, Carrollton, Jerseyville, Alton, East St. Louis, Waterloo, Chester and the intervening communities reasonable connections with each other.

ROUTE No. 4.

Beginning at the intersection of 48th and Ogden Avenues in the town of Cicero, Cook County, and running in a general southwesterly direction to East St. Louis, affording Chicago, Cicero, Berwyn, Riverside, Lyons, Joliet, Dwight, Pontiac, Bloomington, Lincoln, Elkhart, Williamsville, Springfield, Carlinville, Edwardsville, Granite City, East St. Louis, and the intervening communities reasonable connections with each other.

ROUTE No. 5.

Beginning in a public highway at the northwesterly limits of the city of Chicago and running along such highway in a general northwesterly direction to East Dubuque, affording Chicago, Elgin, Marengo, Rockford, Freeport, Galena, East Dubuque and the intervening communities reasonable connections with each other.

ROUTE No. 6.

Beginning in a public highway at the westerly limits of the city of Chicago and running along such highway in a general westerly direction to Fulton, affording Chicago, Wheaton, Geneva, Elburn, De Kalb, Rochelle, Dixon, Sterling, Morrison, Fulton and the intervening communities reasonable connections with each other.

ROUTE No. 7.

Beginning in a public highway at Joliet and running along such highway in a westerly direction to East Moline, affording Joliet, Morris, Ottawa, La Salle, Peru, DePue, Princeton, Geneseo, East Moline and the intervening communities reasonable connections with each other.

ROUTE No. 8.

Beginning in a public highway at the Indiana State line east of Sheldon and running along such highway in a general westerly direction to the Mississippi River opposite Burlington, Iowa, affording Watseka, Chenoa, El Paso, Eureka, Peoria, Farmington, Elmwood, Yates City, Galesburg, Monmouth, and the intervening communities reasonable connections with each other.

ROUTE No. 9.

Beginning in a public highway at the Indiana State line east of Hoopeston and running along such highway in a general westerly direction to Route No. 24, on the east side of the Illinois River between Pekin and East Peoria, thence over Route No. 24, to Peoria, and thence in a westerly direction to Hamilton, affording Hoopeston, Paxton, Bloomington, Carlock, Goodfield, Deer Creek, Morton, Peoria, Canton, Prairie City, Bushnell, Macomb, Carthage, Hamilton, and the intervening communities reasonable connections with each other.

ROUTE No. 10.

Beginning in a public highway at the Indiana State line east of Danville and running along such highway in a general westerly direction to Jacksonville, affording Danville, Urbana, Champaign, Monticello, Bement, Decatur, Springfield, Jacksonville and the intervening communities reasonable connections with each other.

ROUTE No. 11.

Beginning in a public highway at the Indiana State line east of Marshall and running along such highway in a general southwesterly direction to East St. Louis, affording Marshall, Greenup, Effingham, Vandalia, Greenville, Baden Baden, Highland, East St. Louis and the intervening communities reasonable connections with each other.

ROUTE No. 12.

Beginning in a public highway at the Indiana State line east of Lawrenceville and running along such highway in a general westerly direction to East St. Louis, affording Lawrenceville, Olney, Flora, Salem, Carlyle, Lebanon, East St. Louis and the intervening communities reasonable connections with each other.

ROUTE No. 13.

Beginning in a public highway at Shawneetown and running along such highway in a general westerly direction to Murphysboro, thence in a northwesterly direction to East St. Louis, affording Shawneetown, Harrisburg, Marion, Carbondale, Murphysboro, Pinckneyville, Sparta, Belleville, East St. Louis and the intervening communities reasonable connections with each other.

ROUTE No. 14.

Beginning in a public highway at Carmi and running along such highway in a general westerly direction to Duquoin, affording Carmi, McLeansboro, Benton, Christopher, Duquoin and the intervening communities reasonable connections with each other.

ROUTE No. 15.

Beginning in a public highway at Albion and running along such highway in a general westerly direction to Belleville, affording Albion, Fairfield, Mt. Vernon, Ashley, Nashville, Okawville, Belleville and the intervening communities reasonable connections with each other.

ROUTE No. 16.

Beginning in a public highway at Paris and running along such highway in a general southwesterly direction to Route 4, at or near Staunton, affording Paris, Charleston, Mattoon, Shelbyville, Pana, Hillsboro, Litchfield, Mount Olive, Staunton and the intervening communities reasonable connections with each other.

ROUTE No. 17.

Beginning in a public highway at the Indiana State line east of Grant Park and running along such highway in a general westerly direction to Lacon, affording Grant Park, Momence, Kankakee, Dwight, Streator, Eagle Church Corners, Garfield, Wenona, Custer, Varna, and Lacon and intervening communities reasonable connection with each other.

ROUTE No. 18.

Beginning in a public highway at the western limits of the city of Chicago and running along such highway in a southwesterly direction to Princeton, affording Chicago, Aurora, Oswego, Yorkville, Plano, Sandwich, Earlville, Mendota, Princeton and the intervening communities reasonable connections with each other.

ROUTE No. 19.

Beginning in a public highway at the westerly limits of the city of Chicago and running along such highway in a general northwesterly

direction to Harvard, affording Chicago, Barrington, Woodstock, Harvard and the intervening communities reasonable connections with each other.

ROUTE No. 20.

Beginning in a public highway at the west limits of the city of Waukegan at the end of Belvidere Street and running along such highway in a generally westerly direction to Woodstock, affording Waukegan, Grays Lake, McHenry and Woodstock and intervening communities reasonable connection with each other.

ROUTE No. 21.

Beginning in a public highway at the northerly limits of the city of Chicago and running along such highway in a general northwesterly direction to the Wisconsin state line, affording Chicago, Libertyville, Antioch and the intervening communities reasonable connections with each other.

ROUTE No. 22.

Beginning in a public highway at the Indiana state line east of Chicago Heights and running along such highway to Lake Forest, affording Chicago Heights, Joliet, Aurora, Geneva, Elgin, Dundee, Carpenterville, Farrington, Lake Forest and the intervening communities reasonable connections with each other.

ROUTE No. 23.

Beginning in a public highway at the Wisconsin state line, north of Harvard and running along such highway in a general southerly and southwesterly direction to Streator, affording Harvard, Marengo, Sycamore, DeKalb, Ottawa, Streator and the intervening communities reasonable connections with each other.

ROUTE No. 24.

Beginning in a public highway at Peoria and running along such highway in a general southerly and southeasterly direction to Pana, affording Peoria, Pekin, Green Valley, Mason City, Greenview, Athens, Springfield, Pana and the intervening communities reasonable connections with each other.

ROUTE No. 25.

Beginning in a public highway at Kankakee and running along such highway in a general southerly direction to Fairfield, affording Kankakee, Gilman, Paxton, Champaign, Tuscola, Mattoon, Effingham, Toliver, Louisville, Flora, Fairfield and the intervening communities reasonable connections with each other.

ROUTE No. 26.

Beginning in a public highway at Freeport and running along such highway in a general southerly direction to Dixon, affording Freeport, Polo, Dixon and the intervening communities reasonable connections with each other.

ROUTE No. 27.

Beginning in a public highway at Polo and running along such highway in a general westerly direction to Savanna, affording Polo, Mt. Carroll, Savanna and the intervening communities reasonable connections with each other.

ROUTE No. 28.

Beginning in a public highway at Galesburg and running along such highway in a general northeasterly direction to Sheffield, affording Galesburg, Kewanee, Sheffield and the intervening communities reasonable connections with each other.

ROUTE No. 29.

Beginning in a public highway at Peoria and running in a northerly direction to DePue, affording Peoria, Chillicothe, Henry, DePue and the intervening communities reasonable connections with each other.

ROUTE No. 30.

Beginning in a public highway at Peoria and running in a north-westerly direction to Galva, affording Peoria, Princeville, Wyoming, Galva and the intervening communities reasonable connections with each other.

ROUTE No. 31.

Beginning in a public highway at Canton and running in a south-westerly direction to Quincy, affording Canton, Lewistown, Rushville, Mt. Sterling, Quincy and the intervening communities reasonable connections with each other.

ROUTE No. 32.

Beginning in a public highway at Windsor and running in a northerly direction to Cerro Gordo, affording Windsor, Sullivan, Lovington, Ulrich Station, Lake City, Cerro Gordo and the intervening communities reasonable connections with each other.

ROUTE No. 33.

Beginning in a public highway at Effingham and running to Robinson, affording Effingham, Newton, Robinson and the intervening communities reasonable connections with each other.

ROUTE No. 34.

Beginning in a public highway at Harrisburg and running through Herod and thence along the most practical route to the road leading from Elizabethtown to Golconda with branches into Elizabethtown and Golconda, giving Elizabethtown and Golconda connection with each other and each of said towns connection with Harrisburg.

ROUTE No. 35.

Beginning in a public highway at Route No. 2 north of Cairo and extending in an easterly direction to Mound City, affording Mounds, Mound City and the intervening communities reasonable connections with each other.

ROUTE No. 36.

Beginning in a public highway at Carthage and running in a southerly and easterly direction to Jacksonville, affording Carthage, Bowen, Ursa, Quincy, Payson, Barry, Pittsfield, Winchester, Jacksonville and the intervening communities reasonable connections with each other.

ROUTE No. 37.

Beginning in a public highway at Mt. Vernon and extending in a southerly direction to Marion, affording Mt. Vernon, Benton, Marion and the intervening communities reasonable connections with each other.

ROUTE No. 38.

Beginning in a public highway at Jerseyville and running along such highway in a westerly direction to a public highway on the east side of the Illinois River opposite the city of Hardin and then beginning at Hardin and running in a northerly direction to Kampsville, affording Jerseyville, Hardin, Kampsville and the intervening communities reasonable connections with each other.

ROUTE No. 39.

Beginning in a public highway at Champaign and running in a northwesterly direction to Bloomington, affording Champaign, Mahomet, Mansfield, Farmer City, Leroy, Bloomington and the intervening communities reasonable connection with each other.

ROUTE No. 40.

Beginning in a public highway on the north line of the city of Sterling and running in a northwesterly direction to Milledgeville, thence to Chadwick, thence north to connect with Route No. 27, and beginning at a highway on the north line of the city of Mt. Carroll and running north to Stockton.

ROUTE No. 41.

Beginning in a public highway at Galesburg, and connecting with Route No. 8 therein, and running thence in a southern direction to

Abingdon, thence in a southern direction to Avon, thence in a southern direction, connecting with Route No. 9 at or near Prairie City, affording Galesburg, Abingdon, Avon, Prairie City and the intervening communities reasonable connections with each other

ROUTE No. 42.

Beginning in a public highway at the northern limits of the city of Chicago and running along the Sheridan Road in a general northerly direction to the Wisconsin state line, affording Chicago, Waukegan, Zion City and the intervening communities reasonable connections with each other.

ROUTE No. 43.

Beginning in a public highway at Havana and running in a easterly direction to Route No. 24 at Mason City, affording Havana, Mason City and the intervening communities reasonable connections with each other.

ROUTE No. 43A.

Beginning in a public highway at Petersburg and running easterly to and connecting with Route No. 24.

ROUTE No. 44.

Beginning in a public highway at Joliet, and running to Kankakee, Illinois, via Manhattan and Wilton Center so as to afford the intervening communities reasonable connections with each other.

ROUTE No. 45.

Beginning in a public highway in Route No. 17, at a point at Garfield and running due south to Dana.

ROUTE No. 46.

Beginning in a public highway at the eastern limits of Arlington Heights, thence running in a southeasterly direction to Oaklawn, affording Arlington Heights, Mount Prospect, DesPlaines, Franklin Park, River Grove, Maywood, Broadview, LaGrange Park, LaGrange, Lyons, Summit, Oaklawn, and the intervening communities reasonable connections with each other.

If any available money from any source remains in the State bond road fund after the above described roads are completed and paid for, said Department of Public Works and Buildings shall use such money to construct other similar roads so as to extend said system in such a way as to be of the greatest benefit, in the judgment of said Department of Public Works and Buildings, to the people of the State.

§ 10. That wherever one of the above described roads runs through or into a county over a paved road that has been constructed by such county and the State, jointly, or by such county alone and accepted by the State, then, in such case, said Department of Public Works and Buildings shall, if such paved road is of proper durable hard-surfaced type to make it practicable to do so, utilize such paved road in said State-

wide system of roads. If said Department of Public Works and Buildings does utilize and make such a paved road of a county a part of said State-wide system of roads, then, and in that case, the actual cost of said paved road shall be determined, in the manner hereinafter provided for, and an amount of money equivalent to the share of such cost that was paid by such county, shall be set apart and allotted by said department to such county to be used, at the option of such county, either in the payment of any county bonds issued by such county and used to improve its State Aid Roads, or in the improvement of any one or more of its improved or unimproved State Aid Roads, by constructing thereon a durable hard-surfaced road, under the direction and to the satisfaction of said Department of Public Works and Buildings. In determining such cost of such a paved road of a county, so utilized in said State-wide system of roads, the Chief Highway Engineer shall make a careful examination of the department's State Aid Road records which show the actual cost of all such State Aid Roads, and present to said Department of Public Works and Buildings, in writing, a statement, approved by the Superintendent of Highways, showing the actual cost of such paved road of such county; and the amount of such cost paid by such county, as shown by said statement, shall be the amount of money so to be allotted to said county by said Department of Public Works and Buildings to be used by said county in the manner hereinabove provided for."

§ 11. That whenever the making of any part of said proposed improvement, or the locating of a route or any part thereof, or the obtaining of road building materials for the work provided for herein, will require that private property be taken or damaged, said Department of Public Works and Buildings, in its name, shall have the right to purchase the necessary land from the owner thereof, or if compensation therefor cannot be agreed upon, to have such just compensation ascertained and to acquire and pay for said property in the same manner, as near as may be, as provided for in the Act of this State entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, and the amendments thereto: *Provided, however*, that said Department of Public Works and Buildings shall not be required, in any case, to furnish bond.

§ 12. That the public highways upon which said roads are being constructed shall, during the construction period and continuously thereafter, be under the jurisdiction and control of said Department of Public Works and Buildings, but the duty of maintaining such highways shall rest on the local authorities until said construction work has been completed. No public utility company or person shall be granted any right, privilege or franchise in, on or along any such highway without the consent of said Department of Public Works and Buildings. After a road in said State-wide system has been completed and taken over by said Department of Public Works and Buildings said road shall thereafter be maintained by the State, under and in accordance with the provisions of section 32 of Article IV of the Act of this State entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, and the amendments thereto.

§ 13. That this Act, authorizing the State to contract the debt for the purpose set forth herein and, as an evidence of such debt, to issue bonds of the State of Illinois to the amount of sixty million dollars (\$60,000,000.00) and levying a direct annual tax sufficient to pay the interest annually on such bonds, as such interest shall accrue, and also to pay and discharge the principal of such bonds at par value, as such bonds respectively fall due, but providing that such payments may be made from other sources of revenue, shall be submitted to the people of this State at the general election to be held on Tuesday next after the first Monday of November, A. D. 1918; that said Act shall be so submitted on a separate ballot, which shall be in substantially the following form:

(Road Improvement Ballot.)

<p>Shall an Act of the General Assembly of Illinois, entitled, "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois," which, in substance, provides for construction by the State, acting through its Department of Public Works and Buildings, subject to the Governor's approval, of a State-wide system of hard roads on routes described; for control and maintenance, and for conditional compensation for roads already paved; gives such department full power to execute Act; authorizes State to contract a debt for such purpose and to issue \$60,000,000.00 of serial bonds, bearing interest annually at not to exceed 4%; appropriates said sum to said department; levies a tax sufficient to pay said interest annually, as it shall accrue, and to pay off said bonds within 20 years from issuance, but provides that such payments may be made from other sources of revenue and requires moneys in the Motor Vehicle Law "Road Fund" to be first used for such payments and such direct tax to be omitted in any year in which sufficient money from other sources of revenue has been appropriated to meet such payments for such year; provides for publication and for submission to the people; makes the provisions for payment of such interest and bonds irrevocable; and pledges faith of State to the making of such payments; go into full force and effect?</p>	YES	
	NO	

That this question shall be so submitted at said general election on said question shall be held and returns thereof be made, where not otherwise provided herein, at the same time and in the same manner and by the same officials, as in the case of the election of State officers and in accordance, as near as may be, with the provisions of the general election laws of this State; that the Secretary of State is hereby authorized, empowered and directed to certify to the county clerk of each county the form of said ballot and also to take every step required by this Act and by the general election laws of this State to be taken in such cases; that the respective persons whose duty it is, under the general election laws of this State, to cause notices of election to be given and ballots to be printed, and the elections to be held and the results thereof to be ascertained and declared, are hereby authorized, empowered and directed to take every step required by the Statutes of this State to be taken in such cases, so as to cause this question to be properly submitted to the people of this State.

§ 14. That the Secretary of State be, and he is hereby, authorized, empowered and directed to cause publication of this Act to be made, once each week, for three months at least before the vote of the people shall be taken upon such Act; and that such publication shall be made in at least two daily newspapers, one of which shall be published in the city of Springfield and one in the city of Chicago.

§ 15. That the provisions in this Act for the payment of the principal of said bonds at maturity and of the interest thereon annually, as it shall accrue, by a direct annual tax which has been levied herein for said purpose, or from other sources of revenue appropriated for that purpose, shall be irrepealable until such debt and interest be paid in full, and for the making of such payment the faith of the State of Illinois is hereby pledged.

§ 16. That the publication of this law in the above mentioned newspapers and in the Session Laws of Illinois is hereby declared to be due notice to the people of this State of the provisions of this law and of its submission to them and that if this law receives at said general election the required majority of votes, then the will of the people so expressed or attempted to be so expressed shall not be defeated nor set aside on account of the failure, negligence or carelessness of any officer, or person, in the performance of his duty, but the law shall immediately go into full force and effect.

APPROVED June 22, 1917.

SPECIAL ELECTION TO BORROW MONEY.

§ 1. Amends sections 61, 108, 109, 112, 126 and 127, Act of 1913.

§ 61. Provides for calling of special elections to vote on proposition of borrowing money to expend on roads or bridges.

§ 108. Calling of special election upon petition of land owners.

§ 109. Form of ballot.

§ 112. Submission of proposition upon petition of single commissioner and free holders, and form of ballot, etc.

§ 126. County boards vested with same powers as commissioners — how special elections called.

§ 127. Form of ballot for special road tax, and requisite votes to laglize proposition.

(HOUSE BILL No. 1006. APPROVED JUNE 27, 1917.)

AN ACT to amend sections sixty-one (61), one hundred and eight (108), one hundred and nine (109), one hundred and twelve (112), one hundred and twenty-six (126), and one hundred and twenty-seven (127) of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections sixty-one (61), one hundred and eight (108), one hundred and nine (109), one hundred and twelve (112), one hundred and twenty-six (126), and one hundred and twenty-seven (127) of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1st, 1913, as amended, be amended so as to read as follows:

§ 61. When the highway commissioners desire to expend on any bridge or bridges, or approaches thereto in any district a greater sum of money than is available to them by other means, the said commissioners may call a special town or district election to vote on the proposition. Upon determining to call such election the highway commissioners shall order the town or district clerk, by an instrument in writing to be signed by them, to post up in ten of the most public places in said town or district notices of such special town or district election, which notice shall state the object, time and place of the election, the maximum sum to be borrowed and the manner in which the vote is to be had, which shall invariably be by ballot, and shall be:

"For borrowing money to (here define the purpose)" or "against borrowing money to (here define the purpose)". Such special town or district election shall be held at the place of the last annual town or district meeting by said clerk giving at least ten days notice and the returns thereof shall be made in the same manner as other special town or district elections are now or may hereafter be provided by law; and if it shall appear that a majority of the legal voters voting at said election shall be in favor of said proposition, the said commissioners of highways, or town or district clerk, as the case may be, shall issue from time to time as the work progresses a sufficient amount in the aggregate of bonds of said town or district for the purpose of building said bridge or bridges and approaches, thereto, said bonds to be of such denominations, bear such rate of interest (not exceeding six per cent) upon such

time, and be disposed of as the necessities and conveniences of said town or district officers require: *Provided*, that said bonds shall not be sold or disposed of for less than their par value and such town or district shall provide for the payment of such bonds by appropriate taxation. Each town or district shall for the purposes of the special town or district election mentioned in this section constitute an election precinct.

A register of all issues of said bonds shall be kept in the office of the county clerk of the county in which said township or district is located, showing the date, amount, rate of interest, maturity, and the purpose for which said bonds were issued, which information shall be furnished to the county clerk in writing, by the town or district clerk, and it shall be the duty of such county clerk to extend annually against the property in said township or road district, a tax sufficient to pay the interest of said bonds in each year and to discharge the principal thereof within the period for which such bonds have been issued.

§ 108. PETITION FOR ROAD—NOTICE—ELECTION—VOTE—RATE PER CENT.] On the petition of twenty-five per cent of the land owners who are legal voters of any township to the town clerk thereof in counties under township organization or road districts in counties not under township organization, to the district clerk he shall, when giving notice of the time and place for holding the next annual town meeting or road district election, also give notice that a vote will be taken at said election or meeting for or against an annual tax not to exceed one dollar on each one hundred dollars assessed valuation of all the taxable property, including railroads, in the township or road district, for the purpose of constructing and maintaining gravel, rock macadam, or other hard roads, or for improving, maintaining or repairing earth roads by draining, grading oil-treating or dragging. Said petition shall state the location and route of the proposed road or roads, and shall also state the annual rate per cent not exceeding one dollar on each one hundred dollars and the number of years not exceeding five, for which said tax shall be levied. If in any such petition a special election shall be requested for such purposes it shall be called in the manner provided for calling special elections in section 112 of this Act.

§ 109. BALLOTS.] The ballots at said election shall be substantially in the following form:

Shall a special tax for road purposes be levied?	Yes	
	No	

§ 112. On the petition of the single commissioner of highways or of the commissioners of highways, in his or their official capacity, and of one hundred of the free holders of any town or district (or where there may be less than two hundred such free holders, then a majority of them,) to the town or district clerk requesting him, when giving notice of the time and place for holding the next annual town or road district

election, to give notice also that a vote will be taken at said election on the question, "Shall bonds for road purposes be issued to the amount of \$. ?" such clerk shall, when giving notice of the time and place for holding the next annual town or road district election, also give notice that a vote will be taken at said election on said question, "Shall bonds for road purposes be issued to the amount of \$. ?"

If in any such petition a special election shall be requested for such purpose, it shall be called as follows:

Upon the filing of such petition the town or district clerk shall call such special town or district election, by posting up in ten of the most public places in said town or district, at least ten days prior to the day fixed for said special town or district election, notices of such special town or district election, which notices shall state the filing of said petition, the time and place of said special election, and that a vote will be taken at said election on the question, "Shall bonds for road purposes be issued to the amount of \$. ?"

Such special election shall be held at the place of the last annual town or district election and shall be conducted and returns thereof be made in the same manner as regular annual town or road district elections.

The vote at such regular or special election shall invariably be by a separate ballot and shall be in substantially the following form:

Shall bonds for road purposes be issued to the amount of \$. ?	Yes	
	No	

And if it shall appear that a majority of the legal voters voting at said election on said question voted in favor of said proposition, the commissioners of highways and the town or district clerk, as the case may be, shall issue (from time to time as the work progresses) a sufficient amount, in the aggregate, of the bonds of said town or district for the purpose of building or maintaining roads, or for the purpose of constructing or repairing any bridge or bridges, or for the purpose of constructing or repairing any other distinctive work on the road, as the case may be, in accordance with the prayer of said petition. Said bonds shall be of such denominations, upon such time and bear such rate of interest, not exceeding five per cent, and be disposed of, as the necessities and convenience of said town or district may require: *Provided*, that said bonds shall not be sold nor disposed of, either by sale or by payment to contractors for labor or materials, for less than their par value, and that such bonds shall be issued in not more than ten annual series, the first series of which shall mature not more than five years from the date thereof, and each succeeding series in succeeding years thereafter. A register of all issues of said bonds shall be kept in the office of the county clerk of the county in which said town or district is located, showing the date, amount, rate of interest, maturity, and the

purpose for which said bonds were issued, which information shall be furnished to the county clerk, in writing, by the town or district clerk, and it shall be the duty of such county clerk to extend annually against the property in said town or road district, a tax sufficient to pay the interest of said bonds in each year prior to the maturity of such first series, and thereafter he shall extend a tax in each year sufficient to pay each series as it matures, together with interest thereon and with the interest upon the unmatured bonds outstanding. Such bonds may be lithographed and the interest for each year evidenced by interest coupons thereto attached, which coupons shall be signed with original or fac-simile signatures by the same officers who executed the bonds: *Provided, however*, that the amount, including the principal and interest to be voted upon, shall not exceed the amount which can be raised during a period of five years by a levy of one dollar per year on each one hundred dollars of taxable property, as taken for assessment purposes in such town or district; the proceeds of said bonds to be paid to the treasurer of such funds and to be disbursed by him upon the order of the commissioners of highways.

§ 126. The several county boards of counties in this State are hereby vested with the same powers for constructing, repairing and maintaining roads in their respective counties, as the commissioners of highways, acting severally or together, or with the several county superintendents of highways, according to the provisions of this Act. The county board of any county may also assist any town or road district in such county in the construction of roads, under the provisions of this Act, to the extent of twenty-five per cent of the cost thereof: *Provided, however*, that the question of raising a special road tax or of issuing bonds for the purposes set forth in this Act shall first be submitted to the legal voters of the county, at any regular election for county officers, or at a special election which the county board is hereby authorized to call for such purpose, on the petition of one hundred land owners who are legal voters in said county, to the county clerk, previous to time for posting the notices of a regular or of a special election; said petition and notices, if for a special road tax, shall designate the road or roads to be improved, or the town or towns or the road district or road districts to be assisted, the annual rate per cent not exceeding fifty cents on each one hundred dollars assessed value, the number of years, not exceeding five, for which such tax shall be levied, and said petition and notices, if for the issue of bonds, shall designate the amount of bonds to be issued, the rate of interest thereon and the number of annual series thereof not less than five nor more than twenty from the date of issue.

All elections hereunder shall be called and held and returns made in substantially the manner provided for under the general election laws of this State.

§ 127. The ballots to be used at elections provided for in the preceding section, if for a special road tax, shall be in substantially the following form:

Shall a special tax for road purposes be levied?	Yes	
	No	

And if for the issue of bonds the ballots shall be in substantially the following form:

Shall county bonds for road purposes be issued to the amount of \$. ?	Yes	
	No	

If a majority of all ballots cast on the first proposition mentioned in this section at any such election shall be in favor of such proposition, it shall be the duty of the county board to direct the county clerk to extend such tax against all the taxable property, including railroads, in said county, in accordance with the prayer of the petition therefor; if a majority of all ballots cast on the second proposition mentioned in this section at any such election shall be in favor of such proposition, it shall be the duty of the county board to issue the amount of bonds voted for; and then in either case it shall be the duty of such county board to carry out the purposes for which said tax or bonds were voted, in the same manner as provided for the guidance of commissioners of highways in their respective towns or districts.

APPROVED June 27, 1917.

STATE AID.

§ 1. Amends section 15d of IV. Act of 1913.

§ 15d. When county desires to advance entire cost of constructing State aid roads more rapidly than allotment of State aid money — referendum.

(HOUSE BILL No. 344. APPROVED JUNE 27, 1917.)

AN ACT to amend section 15d, approved June 28, 1915, in force July 1, 1915, of Article IV. of an Act entitled, 'An Act to revise the law in relation to roads and bridges,' approved June 27, 1913, in force July 1, 1913, and all amendments thereto.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 15d, approved June 28, 1915, in force July 1, 1915, of Article IV. of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June

27, 1913, in force July 1, 1913, and all amendments thereto, be, and the same is hereby, amended so as to read as follows, to-wit:

§ 15d. If any county desires, more rapidly than its allotments of State aid road moneys will permit, to construct a State aid road along any one or more of its highways that have been selected and designated, under the provisions of this Act, as State aid roads, such county is hereby authorized to advance, out of county funds available from any source, or which may become available from any source, for such purpose, the entire cost of constructing such State aid roads and to make such improvement at any time: *Provided, also*, that any such county may accept, receive and use as county funds for such purpose any money turned over to such county by any town or road district in such county, and the commissioners of highways of any such town or road district are hereby authorized to turn over to such county money from the permanent road fund or other available fund of the town or road district, to be used by such county, upon terms and conditions prescribed by the State Highway Commission, to construct a State aid road in such town or road district. Such county shall, in such case, have the right to use any allotment of money made to it by the State Highway Commission, to defray one-half the cost of constructing new State aid roads, in the county, under the provisions of this Act, or to apply the money on the payment of any bonds or other obligations which have been or may be issued by such county, under any law of this State, to meet the cost of the construction of any State aid road or roads constructed by such county at its own expense: *Provided, however*, that the allotments made by the State shall not be used to cover more than one-half the cost of the construction of such State aid roads: *And, provided, also*, that such State aid roads shall have been constructed under, and in accordance with, plans, specifications, estimates of cost and contracts approved by the State Highway Commission and which roads shall have been found, upon inspection of the State Highway Engineer, to have been completed as provided for in said contracts. All highways constructed or improved in any county under the provisions of this section shall be known as State aid roads and shall thereafter be repaired and maintained under, and in accordance with, the provisions of section 32 of this Act, and any amendments thereto.

If any county desires so to advance money for the purpose of the construction or improvement of its State aid roads, its county board is hereby vested with full power and authority to take all necessary steps in such case and such county board may, out of any funds in the county treasury, not required for other purposes, appropriate therefrom sufficient moneys to meet the cost of constructing or improving such State aid roads, and may also, in any manner provided by law for issuing county bonds, issue bonds of the county for the purpose of constructing or improving such State aid roads: *Provided*, that the question of issuing such county bonds shall first be submitted to the legal voters of such county at any general election or at a special election which the county board is hereby authorized to call for such purpose: *And, provided, also*, that the county board of such county shall, before adopting

a resolution to submit such question to a vote, adopt a resolution specifying the particular roads to be improved, the type of improvement to be made on each section of such roads, the proposed widths of the paved and graded roadway, together with an estimate of the cost of such improvement, all of which shall have been approved by the State Highway Commission: *And, provided, also*, that such bonds shall be issued to mature in not less than ten nor more than twenty annual series, the last series to mature not more than twenty years from date of issue. If the question of an issue of such bonds is submitted to the people, notice of election shall be given and the election shall be held and returns made, all in the manner now provided by the general election laws of this State, and the ballots shall be in substantially the following form:

Shall county bonds for roads be issued to the amount of \$.....?	Yes	
	No	

If a majority of the voters voting on such question vote in favor of the proposition the county board shall at once issue the bonds and take the necessary steps to construct or improve the State aid roads provided for. This section shall not be construed to repeal any other law on the subject of issuing county bonds, except in so far as such other law is in direct conflict herewith.

If it shall be deemed necessary to submit to a vote of the people at the same election (whether a general election or special election) the question of issuing bonds and the raising of an additional tax, the same may be included in one proceeding and in that case the ballot shall be in substantially the following form:

Shall county bonds for roads be issued to the amount of \$..... and an additional tax levied for the payment of interest and principal of such bonds?	Yes	
	No	

APPROVED June 27, 1917.

STATE AID.

§ 1. Amends section 9, Article IV, Act of 1913.

§ 9. State aid authorized.

(SENATE BILL NO. 31. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as subsequently amended by amending section 9 thereof.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to roads and bridges," as subsequently amended

be and the same is hereby amended by amending section 9 thereof so that said section 9 when amended shall read as follows:

§ 9. Public highways or sections thereof, including bridges therein, may be laid out, improved or constructed at the joint expense of the State and any county within the State as hereinafter provided. In such case the State shall contribute one-half of the expense thereof, and the county or counties through which the said highway or portion thereof passes shall contribute the remaining one-half. Such highways hereinafter known as "State Aid Roads," may be laid out, constructed or improved in the manner hereinafter directed:

The board of supervisors or county commissioners of any county shall, by a majority vote of the entire board of supervisors or county commissioners, in regular or special session, specify the type of road to be constructed under the provisions of this Act in their respective counties, which decision shall be final and not subject to change by the State Highway Commission, whether of permanent earth improvement (including surface or sub-surface drainage, grading, leveling, and crowning), gravel, macadam, concrete, concrete and macadam combined, or brick, and the respective boards of supervisors or county commissioners shall have the authority to specify any one of the herein designated types of roads: *Provided*, the final decision as to type of road to be builded under the provisions of this Act in any county shall not be made until the board of supervisors or county commissioners shall have secured from the State Highway Commission detailed estimates of the cost in their respective counties of the several herein specified types of roads and the estimates furnished by the State Highway Commission shall be published for two consecutive issues once each week in two newspapers having the largest circulation in the county. In case the board of supervisors or county commissioners do not desire to exercise the privilege and power herein conferred upon them as to designating the type of road to be builded and shall so notify the State Highway Commission, then it shall be the duty of the State Highway Commission to specify the type of road to be builded and the decision of the State Highway Commission shall have the same force and finality as if made by the board of supervisors or county commissioners. When a certain type of proposed road is specified by the board of supervisors or county commissioners or by the State Highway Commission by and with the consent of the board of supervisors or county commissioners such type shall be adhered to throughout the entire length of such road; that is, from one main objective or connecting point to another within the county: *Provided*, nothing herein contained shall prohibit the State and county jointly, at any future time, rebuilding and changing, under the provisions of this Act, an earth, gravel, or macadam type of road to any other more permanent type herein specified: *Provided, further*, that when a gravel or macadam road is constructed the county shall pay one-half the cost of such maintenance: *And, provided, further*, that when an earth road is constructed the county shall pay the entire cost of maintenance.

Provided, however, that no road or part thereof lying within the corporate limits of any city or village situated within any county of the

first or second class, or any city or village having a population exceeding twenty thousand (20,000) inhabitants by the last preceding Federal census situate within any county of the third class, shall be improved or constructed with State aid: *And, provided*, that a road or part thereof lying within the corporate limits of any city or village having a population of twenty thousand (20,000) inhabitants or less, ascertained as aforesaid, situate within any county of the third class, may be improved or constructed with State aid, to connect or complete, by the most direct route, a State aid road already improved or constructed or being improved or constructed to the corporate limits of such city or village.

And, provided also, that a road or part thereof lying within the corporate limits of any city, village or town, having a population of two thousand five hundred (2,500) inhabitants or less as ascertained as aforesaid in any county, may be improved or constructed with State aid, to connect or complete by the most direct route, a State aid road already improved or constructed or being improved or constructed, to the corporate limits of such city, village or town. The cost of such road for the same width as outside of the corporate limits and of the same materials may be provided for in the same manner as for that portion outside the corporate limits. By agreement between the State Highway Commission and the common council or board of trustees, a road or street of greater width and of different materials may be constructed through such city, village or town by the State Highway Commission, such city, village or town to pay the excess cost, if any, for such greater width, or different material. But such city, village or town shall thereafter maintain said road or street within the corporate limit.

APPROVED June 25, 1917.

SALES.

UNIFORM SALES ACT OF 1915 AMENDED.

§ 1. Amends section 64, Act of 1915.

§ 64. Action for damages for non-acceptance of goods.

(HOUSE BILL No. 63. APPROVED JUNE 11, 1917.)

AN ACT to amend section sixty-four (64) of an Act entitled, "An Act to make uniform the law relating to the sale of goods," approved June 29, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixty-four (64) of an Act entitled, "An Act to make uniform the law relating to the sale of goods," approved June 29, 1915, in force July 1, 1915, be, and the same is hereby amended to read as follows:

§ 64. ACTION FOR DAMAGES FOR NON-ACCEPTANCE OF THE GOODS.]

(1) Where the buyer wrongfully neglects or refuses to accept and pay for the goods, the seller may maintain an action against him for damages for non-acceptance.

(2) The measure of damages is the estimated loss directly and naturally resulting, in the ordinary course of events, from the buyer's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages is, in the absence of special circumstances, showing proximate damage of a greater amount, the difference between the contract price and the market or current price at the time or times when the goods ought to have been accepted, or, if no time was fixed for acceptance, then at the time of the refusal to accept.

(4) If, while labor or expense of material amount are necessary on the part of the seller to enable him to fulfill his obligations under the contract to sell or the sale, the buyer repudiates the contract or the sale, or notifies the seller to proceed no further therewith, the buyer shall be liable to the seller for no greater damages than the seller would have suffered if he did nothing towards carrying out the contract or the sale after receiving notice of the buyer's repudiation or countermand. The profit the seller would have made if the contract or the sale had been fully performed shall be considered in estimating such damages.

APPROVED June 11, 1917.

SCHOOLS.

ACT OF 1909 AMENDED.

§ 1. Amends section 211 of an Act to establish and maintain a system of free schools.

§ 211. Sets aside certain funds to Teachers Pension and Retirement Fund.

(SENATE BILL No. 489. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, by amending section 211 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, by amending section 211 thereof, to read as follows:

§ 211. On the first Monday in January annually, the Auditor of Public Accounts shall apportion the common school fund in the manner following:

(a) There shall be set aside annually by the Auditor from the common school fund of the State and paid into the State treasury for the maintenance and administration of the Illinois State Teachers' Pension and Retirement Fund, an amount sufficient to meet all the demands made upon said pension and retirement fund, in accordance with the provisions of an Act entitled: "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, which amount until otherwise provided by law shall be equal to one-tenth of one mill upon each dollar of the assessed valuation of all the taxable property of the State exclusive of cities and school districts not coming under the provisions of the State Teachers' Pension and Retirement Fund Act, provided that that portion of the common school fund apportioned to cities or school districts not coming under the provisions of said Act shall not be diminished or affected by the provisions of this

section. The Auditor shall draw his warrants quarterly upon the State Treasurer for payments from the Illinois State Teachers' Pension and Retirement Fund, upon the presentation of proper vouchers as provided by law.

(b) There shall be set aside by the Auditor and paid by him to the State Treasurer annually from the common school fund, an amount equal to one-tenth of one mill upon each dollar of the assessed valuation of all taxable property of the State within any city and school district coming under the provisions of an Act entitled: "An Act to enable any board of school inspectors or any body or board of officials which governs or has charge of the affairs of any school district having a population of not fewer than ten thousand (10,000) and not more than one hundred thousand (100,000) inhabitants and governed by special Acts of the General Assembly of this State and in such other districts as may hereafter be ascertained by any special or general census to have such population and which school districts are also governed by like special Acts to establish and maintain a Teachers' Pension and Retirement Fund," approved June 27, 1913, as amended. The moneys set aside as provided in this subdivision shall be taken only from that part of the common school fund which under the law would otherwise be distributable to the counties wherein a teachers' pension fund is or may be established under the above named Act of June 27, 1913, and the Auditor shall draw his warrants upon the State Treasurer proportionately for the respective cities and school districts payable to the treasurer of the board of school inspectors and to all other boards of directors, boards of education and boards of school inspectors in such cities or districts in accordance with the provisions of the Act above named, who shall credit such sums so paid to him or them to the teachers' pension and retirement fund under the provisions of said Act of June 27, 1913.

(c) There shall be set aside by the Auditor annually and paid into the State treasury the aggregate of all amounts payable from the State school fund as and for compensation for county superintendents of schools, as provided in an Act entitled: "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, as amended, and the Auditor shall draw his warrants upon the State Treasurer quarterly for the payment to the several county superintendents of their compensation as fixed by law.

(d) When any State institution is located in a school district having fewer than one thousand inhabitants, and the State owns one-eighth or more of the total land area of such district, and pupils, who are members of families employed in said institution, attend the public school in said district, there shall be set aside by the Auditor annually and paid into the State treasury the sum hereinafter named, and the Auditor shall draw his warrant upon the State Treasurer for the payment of said sum to the board of directors of said school district. Said amount shall equal the sum which said land owned by the State would be required to pay in taxes, if privately owned, based upon the tax rate for school purposes in said district, computing the value per acre at the

average value per acre of the equalized assessed value of all the land assessed in said district: *Provided*, that annually on or before the first Monday in December of each year, the president and secretary of said board of directors of said district shall certify to the Auditor of Public Accounts the following matters:

- A.—The name of the State institution.
- B.—The total land area of said district in acres.
- C.—The total ownership of the land of the State in acres.
- D.—The total equalized assessed value of all the land in said district.
- E.—The rate of tax levy for said district for said year.
- F.—The number of pupils who are members of families employed in such State institution.

(e) The remainder of said fund shall be apportioned to each county in proportion to the number of persons in each county under the age of twenty-one years, as ascertained from the next preceding State or Federal census, and the Auditor shall issue an order upon the county collector to pay to the county superintendent of schools the amount of such order out of the funds collected by him not otherwise appropriated by law and take the county superintendent's receipt for the same.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

APPOINTMENT OF BOARD OF EDUCATION IN CITIES OF 45,000 OR MORE.

§ 1. Amends section 2, Act of 1879.

§ 3. Emergency.

§ 2. As amended, provides that in cities of 45,000 or more inhabitants, to which this Act is applicable, the board shall consist of eleven members appointed by the mayor from the city at large who shall hold office for the term of two years—vacancy.

(HOUSE BILL NO. 69. APPROVED APRIL 26, 1917.)

AN ACT to amend an Act entitled, "*An Act to provide for the appointment of school directors, and members of the board of education in certain cases, approved May 29, 1879, in force July 1, 1879,*" as amended by subsequent Acts, by providing in section 2 thereof that in all cities constituting a school district having a population of 45,000 or more, to which said Act applies, the board of education shall consist of eleven persons, one of whom shall be the president thereof, nominated by the mayor from the city at large, and confirmed by the city council.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "*An Act to provide for the appointment of school directors, and members of the board of education in certain cases, approved May 29, 1879,*

in force July 1, 1879," as amended by subsequent Acts, be and the same is hereby amended to read as follows:

§ 2. It shall be the duty of the mayor of such city, at the first regular meeting of the city council, after each annual municipal election, and after his installation into office, to nominate and place before the council for confirmation as school directors, or members of the board of education, as the case may be, one person from each ward of said city to serve for two years, and one person from the city at large to serve for one year, and if the persons so appointed shall be confirmed by a majority vote of the city council, to be entered of record, the persons so appointed, together with such persons theretofore appointed under the provisions of the Act to which this is an amendment, whose terms of service shall not expire within one year, shall constitute the board of education or school directors for such district: *Provided*, that the person appointed from the city at large for one year shall be president of said board of education or school directors, but shall have no vote in such board excepting in case of a tie: *Provided, further*, that in any city having a population of 45,000 or more, constituting a school district to which this Act is applicable, the board of education shall consist of eleven (11) persons who shall be nominated by the mayor from the city at large and confirmed by a majority vote of the city council, one of which persons shall be designated by the mayor as the president of said board of education, and such person shall have no vote except in case of a tie; five members of said board of education and such person as may be designated as the president thereof shall be nominated by the mayor and placed before the city council for confirmation at the first regular meeting of the city council after the installation of the mayor into office, and upon confirmation by said council shall hold their offices for two years and until their successors shall be chosen as herein provided; the remaining five members of said board of education shall be nominated by the mayor and placed before the city council for confirmation at the first regular meeting of the city council next after one year from the date of the mayor's installation into office, and upon confirmation by said council shall hold their offices for two years and until their successors shall be chosen as herein provided. *Provided*[,] that in case a vacancy occurs in said board of education at any time by the death or resignation of any member thereof, or otherwise, the mayor shall nominate and place before the city council for confirmation at a regular meeting thereof some proper person to fill such vacancy, and upon confirmation by the city council, the person so nominated shall hold the office during the remainder of the term for which his or her predecessor was appointed. *Provided, further*, that the persons now constituting the board of education of cities having a population of 45,000 or more to which this Act applies shall hold their offices until their successors shall be chosen as herein provided.

§ 3. WHEREAS, an emergency exists for the immediate taking effect of this Act, therefore it shall be in force from and after its passage.

APPROVED April 26, 1917.

AUTHORIZATION OF SCHOOL DISTRICTS TO SELL REAL ESTATE.

§ 1. Sale of real estate and application of funds.

§ 2. Repeal.

(HOUSE BILL NO. 68. APPROVED JUNE 25, 1917.)

AN ACT providing that the board of education of any school district existing by virtue of any special charter may sell real estate conveyed to it heretofore or hereafter by any city for school purposes and use the proceeds derived therefrom for school building purposes or for the purchase of other real estate for such purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the board of education of any school district existing by virtue of any special charter may sell and dispose of any and all real estate heretofore and hereafter conveyed to it by any city for school purposes, and use the proceeds derived from the sale thereof for school building purposes or for the purchase of other real estate for such purposes.

§ 2. Any and all Acts or parts of Acts inconsistent with the provisions hereof are hereby repealed.

APPROVED June 25, 1917.

BOARDS OF EDUCATION IN CITIES EXCEEDING 100,000 INHABITANTS.

§ 1. Amends sections 128 to 139 inclusive, and section 161, Act of 1909.

§ 128. Board in cities of 100,000 inhabitants—appointment and term of members—vacancy—eligibility.

§ 129. Executive officers—board to prescribe duties and compensation—removal—employees under civil service.

§ 130. Superintendent of schools to prescribe course of study and textbooks appointment of teachers, selection of school sites—business manager—attorney.

§ 131. Board shall establish by-laws, rules and regulations for a uniform system of discipline—other powers—record of proceedings—how proven.

§ 132. Board may purchase real estate and erect school building—how conveyances made—bonds—warrants drawn against taxes.

§ 133. Power to rent property for school purposes—lease of school property—how sale of real estate made.

§ 134. Investments of school funds—audit of accounts of board—annual report to city council.

§ 135. Fiscal year—amount of expenditures limited—annual tax levy by city council—school treasurer—annual statement of receipts and expenditures—bond of treasurer—depositories of school funds.

§ 136. Board to exercise general supervision of public school and may establish and maintain schools of all grades and kinds—use of assembly halls for social interests—subdistricts.

§ 137. Course of study—employment of teachers.

§ 138. Board of Examiners of Teachers—appointments and promotion of teachers—probationary period.

BOARDS OF EDUCATION IN CITIES EXCEEDING 100,000 INHABITANTS—
Concluded.

§ 139. How powers of board construed.

§ 161. Removal of teacher—
suspension pending
hearing—no loss of
salary upon acquittal
—when money paid
back to teacher.

§ 2. Emergency.

(SENATE BILL NO. 56. APPROVED APRIL 20, 1917.)

AN ACT to amend sections 128 to 139, inclusive, and section 161 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909; and to provide a method of proving the records, rules, resolutions, and ordinances of boards of education in cities having a population exceeding 100,000 inhabitants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 128 to 139, inclusive, and section 161 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and are hereby amended so as to read as follows:

§ 128. Each city having a population exceeding 100,000 inhabitants shall constitute one school district which shall maintain a thorough and efficient system of free schools, which shall be under the charge of a board of education, which shall be a body politic and corporate, by the name of "Board of Education of the City of.....," and by that name may sue and be sued in all courts and places where judicial proceedings are had. The said board of education shall consist of eleven members, to be appointed by the mayor, with the approval of the city council, three of whom shall be appointed for the term of one year, two of whom for the term of two years, two of whom for the term of three years, two of whom for the term of four years, and two of whom for the term of five years. Thereafter, at the expiration of the term of any member of said board, his successor shall be appointed in like manner; and all persons thus appointed, and their successors, shall hold office for the term of five years from the first day of May of the year in which they are appointed. Any vacancy that may occur in the membership of said board of education shall be filled through appointment by the mayor, with the approval of the city council, for the unexpired term. If any person so appointed shall fail to qualify within a period of thirty days after his appointment, the office shall be filled by a new appointment for the unexpired term: *Provided, however,* that in such cities wherein at the time this law shall go into effect there are members of a board of education holding office by appointment, such members shall continue in their office until eleven persons have been appointed and qualified as members of said board of education under this Act. No power vested in such board of education, or in any of its officers, agents or employees, shall be exercised by the city council of such city.

To be eligible for appointment to the board, a person shall be at least thirty years of age and a citizen of the United States, and shall have been a resident of the city for at least five years immediately pre-

ceding his or her appointment. Permanent removal from said city by any member of said board during his or her term of office shall constitute a resignation therefrom and create a vacancy in said board. Members of the board of education shall serve without compensation. They shall not, while serving as such members, hold other public office under the Federal, State or any local government other than that of notary public or member of the National Guard, and by accepting any such office while members of the board of education, or by not resigning any such office held at the time of being appointed to the board of education within thirty days after such appointment, shall be deemed to have vacated their membership in such board.

§ 129. The board of education shall elect annually, from its own number, a president and vice-president, in such manner and at such time as the board determines by its rules. The president shall preside at the meetings of the board and shall have the same power to vote at such meetings as any other member, but shall not have the power of veto. He shall perform such duties as shall be imposed upon him by the rules of the board. The vice-president shall perform the duties of the president in case of the president's absence or inability to act, and shall perform such other duties as may be imposed upon him by the rules of the board. The board of education shall also elect a secretary, prescribe his duties, term of office and compensation.

The board of education shall by a vote of a majority of the full membership of the board appoint, as executive officers, a superintendent of schools, who shall have general charge and control, subject to the approval of the board, of the education department and of the employees thereon of the public schools; a business manager, who shall have general charge and control, subject to the approval of the board, of the business department and of the employees therein of the public schools; and an attorney, who shall have general charge and control, subject to the approval of the board, of the law department and the employees therein of the public school system. Each of said executive officers shall hold his office for a term of four years. The board also may appoint, or provide for the appointment, of such other officers and employees as it may deem necessary, pursuant to the provisions of the Civil Service Law, except as otherwise provided herein.

The board shall, subject to the limitations contained in this Act, prescribe the duties, compensation and terms of office of all officers. The board also shall, subject to the limitations contained in this Act, prescribe the duties, compensation and terms of employment of all of its employees and determine which of its officers and employees shall give bond, on what conditions, and in what amount.

The appointment and removal of the superintendent of schools, the business manager and of the attorney, and all assistant attorneys, shall not be subject to the civil service law. The superintendent of schools, the business manager and the attorney shall be removed during the term of employment only for cause, by a vote of not less than a majority of all members of the board, upon written charges to be heard by the board after thirty days' notice, with copy of the charges, is served

upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence, and making defense thereto; but pending the hearing of such charges the person charged may by a like majority vote be suspended by the board: *Provided, however*, that in the event of acquittal, such person shall not suffer any loss of salary by reason of the suspension. The action and decision of the board in the matter shall be final.

All appointments of other employees of the board of education, except as herein otherwise provided, shall be made pursuant to the provisions of the civil service law, and no civil service employee shall be removed except for cause, and then only by a vote of not less than a majority of all members of the board, upon written charges to be heard by the board, or a duly authorized committee of the same, after thirty days' notice, with copy of the charges, is served upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence and making defense thereto. The action and decision of the board in the matter shall be final. Pending the hearing of such charges, the person charged may be suspended as by the rules of the board may be prescribed: *Provided, however*, that in the event of acquittal, such person shall not suffer any loss of salary by reason of the suspension. Teachers shall be exempt from the provisions of this section.

§ 130. The superintendent of schools shall prescribe and control, subject to the approval of the board of education, the courses of study, text books, educational apparatus and equipment, discipline in and conduct of the schools, and shall perform such other duties as the board may by rule prescribe pertaining to the education department. Appointments, promotions and transfers of teachers, principals, assistant and district superintendents, and all other employees in the teaching force, shall be made, sites shall be selected, school houses located thereon and plans for the same approved, and text books and educational apparatus and equipment shall be adopted and purchased, by the board of education, only upon the recommendation of the superintendent of schools, unless it be by a two-thirds vote of all the members of the board. Text books shall not be changed oftener than once in four years, except on [upon] the recommendation of the superintendent, approved by two-thirds of all the members of the board. The board shall have the power to furnish free text books to pupils whose parents are unable to buy them, and to publish its own text books and manufacture its own apparatus, equipment and supplies.

The business manager shall have general charge and control, subject to the approval of the board of education, of all purchases, the making of contracts and leases, the condemnation of sites, the erection, construction, alteration and repair of school buildings, and all other matters not coming under the control of the education or law departments.

The attorney shall have charge and control, subject to the approval of the board of education, of the law department, and of all litigation, legal questions, and such other matters as shall be referred to the department by the board. Appointments, promotions and discharge of assistant

attorneys shall be made by the board of education only upon the recommendation of the attorney, unless it be by a two-thirds vote of all the members of the board.

The superintendent of schools, the business manager and the attorney may be present at all meetings of the board of education, and shall have a right to take part in its discussions and deliberations, but shall have no vote.

§ 131. The board of education shall, subject to the limitations contained in this Act, establish by-laws, rules and regulations, which shall have the force of ordinances, for the proper maintenance of a uniform system of discipline for both employees and pupils, and for the entire management of the schools, and may fix the [school] age of pupils, the minimum of which in kindergartens shall not be under four years and in grade schools shall not be under six years. It shall have the power to expel, suspend or otherwise discipline any pupil who shall be found guilty of gross disobedience, misconduct or other violation of the by-laws, rules or regulations. The by-laws, rules and regulations of the board shall be enacted or changed, money shall be appropriated or expended, salaries shall be fixed or changed, text books and courses of instruction shall be adopted or changed only at the regular meetings of the board of education and by a vote of not less than a majority of the full membership of the board; and upon all propositions requiring for their adoption at least a majority of all the members of the board the yeas and noes shall be taken and recorded. The by-laws, rules and regulations of the board shall not be suspended for the purpose of repealing, amending or adding to the same, except by a vote of two-thirds of the full membership of the board. The said board shall keep a faithful record of all its proceedings in well bound books. Such records and all by-laws, rules and regulations, or parts thereof, may be proven by a copy thereof certified to be such by the secretary of said board, or when the same are printed in book or pamphlet form which purports to be published by authority of said board of education, the same need not be otherwise published and said book or pamphlet shall be received as evidence without further proof, of said records, by-laws, rules or regulations, or any part or parts thereof, as of the dates thereof, as shown in such book or pamphlet, in all courts and places where judicial proceedings are had.

§ 132. The board of education may acquire, by purchase, condemnation or otherwise, real estate for any and all school purposes. Condemnation proceedings for the purpose of acquiring such property shall be conducted in the name of the city, in trust for the use of schools. The title to all real estate held for the use and benefit of the schools shall be held in the name of the city, in trust for the use of schools. All conveyances of real estate shall be made to the city in trust for the use of schools.

The board of education shall have power to erect or purchase buildings suitable for school houses, for school administration, and for deriving revenues from school lands, and keep the same in repair; and to issue bonds for the purpose of building, furnishing and repairing school

houses and school administration buildings and for purchasing sites for the same, and to provide for the payment of said bonds; and when there is not sufficient money in the treasury to meet the ordinary and necessary expenses for educational and for building purposes, to request the city council, whose duty thereupon it shall be, to order issued warrants against and in anticipation of any taxes levied for the payment of the expenditures for educational and for building purposes to the extent of seventy-five per cent of the total amount of the taxes levied for such purposes: *Provided, however*, that warrants drawn and issued under the provisions of this section shall show upon their face that they are payable solely from said taxes when collected, and not otherwise, and shall be received by any collector of taxes in payment of taxes against which they are issued, and such taxes [against] which said warrants are drawn shall be set apart and held for their payment. Every warrant issued against said taxes shall bear interest, payable annually out of the taxes against which said warrants are drawn, at a rate of not to exceed five per cent per annum, from the date of their issuance until paid, or until notice shall be given by publication in a newspaper or otherwise that the money for the payment of said warrants is available and that said warrants will be paid on presentation.

§ 133. The board of education may rent buildings, rooms and grounds for the use of schools or for the purpose of school administration. The board shall have power to let school property on leasehold for a term of not longer than ninety-nine years from the date of the granting of the lease; but it shall not make or renew any lease for a term longer than ten years, nor alter the provisions of any lease heretofore or hereafter made whose unexpired term may exceed ten years, without the vote of two-thirds of the full membership of the board. No sale of real estate, or interest therein, used for school purposes or held in trust for schools shall be made except by the city council, upon the written request of the board of education, which shall have ordered said request by a vote of not less than three-fourths of its full membership.

§ 134. Investments of school funds shall be made by the board of education only in government, state or municipal securities, the payment of which is protected by the power to levy taxes therefor. The board of education shall as often as yearly, and may as often as necessary appoint certified public accountants to examine the business methods and audit the accounts of the board, and a report thereof, together with any recommendations of such accountants as to changes in business methods of the board, or any of its departments, officers or employees, shall be made to the mayor, the city council, and the board of education, and be spread upon the records of the latter. The board shall prepare and publish an annual report which shall include in detail all receipts and expenditures, specifying the source of such receipts and the objects of such expenditures, and shall transmit the same to the mayor and the city council.

§ 135. The fiscal year of the board of education shall commence of [on] January 1st unless otherwise determined by the rules of said board.

The board shall not add to the expenditures for school purposes anything over and above the amount that shall be received from the

State common school fund, the rental of school lands or property, funds otherwise received, and the amount of school taxes levied annually for educational and for building purposes. If said board shall so add to such expenditures the city shall not in any case be liable therefor. And nothing herein contained shall be construed so as to authorize any such board of education to levy or collect any tax, but the city council of said city shall, upon the demand and under the direction of such board of education, annually levy all school taxes.

All moneys raised by taxation for school purposes, or received from the State Common School Fund, or from any other source for school purposes, shall be held by the city treasurer, *ex officio*, as school treasurer, in separate funds for school purposes, subject to the order of the board of education upon its warrants signed by its president and secretary and countersigned by the mayor and city comptroller.

The city treasurer shall, as school treasurer, secure and safely keep all such moneys, subject to the control and direction of said board of education, and shall, subject to the limitations contained in this Act, keep his books and accounts concerning such moneys in such manner as may be prescribed by said board, and said books and accounts shall always be subject to the inspection of said board, or any member thereof. He shall at the end of each and every month, and oftener if required, render under oath an account to the board of education, showing the state of the school treasury at the date of such account and the balance of money in that treasury. He shall also accompany such accounts with a statement of all moneys received into the school treasury, and on what account, together with all warrants redeemed and paid by him; which said warrants, if any, and all vouchers held by him shall be delivered to the business manager of the board and filed with his account in the business manager's office upon every day of such settlement. He shall return all warrants paid by him, stamped or marked "Paid." He shall keep a register of all warrants redeemed and paid, which shall describe such warrants and show the date, amount, number, the fund from which paid, the name of the person to whom and when paid.

The said school treasurer may be required to keep all moneys in his hands belonging to the board in such place or places of deposit as may be ordered by the city council: *Provided, however*, no such order shall be passed, by which the custody of such money shall be taken from the treasurer and deposited elsewhere than in some regularly organized bank, nor without a bond to be taken from such bank, in such penal sum, under such conditions, and with such security as the city council shall direct and approve, sufficient, however, to save the board from any loss.

Said school treasurer shall keep all moneys belonging to the board in his hands separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the school moneys or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office by the city council, who are hereby authorized under such conditions to declare his office vacant.

Said school treasurer shall annually, between the first and tenth of April, make out and file with the business manager of the board of education a full and detailed account of all receipts and expenditures and of all his transactions as such treasurer during the preceding fiscal year, and shall show in such account the state of the school treasury at the close of the fiscal year, which account shall immediately be published in the proceedings of said board of education.

The said school treasurer shall be liable on his official bond as city treasurer for the proper performance of his duties and the conservation of all moneys held by him under the provisions of this Act. It is hereby made the duty of the city council in fixing the amount, the penalty and conditions of said official bond to do so in such manner as will be adequate and sufficient to save the board of education from any loss. Nothing in this section contained shall be construed to alter or change the right of the city council to designate the bank depositories of school moneys in the manner prescribed in section 5 of Part Two of "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, as amended by subsequent Acts," approved May 18, 1905.

§ 136. The board of education shall exercise general supervision and management of the public education and the public school system of the city, and shall have power to make suitable provision for the establishment and maintenance throughout the year, or for such portion of the year as it may direct, not less than nine months in time, of schools of all grades and kinds, including normal schools, high schools, night schools, schools for defectives and delinquents, parental or truant schools, schools for the blind, the deaf and the crippled, schools or classes in manual training, constructural and vocational teaching, domestic arts and physical culture, vacation and extension schools and lecture courses, and all other educational courses and facilities, including playground maintenance. It shall have the power to cooperate with the Juvenile Court, to make arrangements with the public or quasi-public libraries and museums [for the purpose of extending the privilege of such libraries and museums] to teachers and pupils of the public schools. The board may grant the use of assembly halls and class rooms when not otherwise needed, including light, heat and attendants, for free public lectures, concerts and other educational and social interests, free of charge, but under such provisions and control as the board may see fit. The board shall have continuing power to divide the city into sub-districts and apportion the pupils to the several schools, but no pupils shall be excluded from or segregated in any such school on account of his or her color, race or nationality.

§ 137. The board of education shall, subject to the limitations contained in this Act, have the power to prescribe the courses and methods of study in the various schools and to employ teachers and other educational employees and fix their compensation.

§ 138. A board of three examiners is hereby constituted, whose duty it shall be to examine all applicants who are required to hold certificates to teach and the board of education shall issue gratuitously to those who pass a required test of character, scholarship and general

fitness, such certificates to teach as they are found entitled to receive. Such board of examiners shall consist of the superintendent of schools together with two persons approved and appointed by the board of education upon the nomination of the superintendent of schools. The board of examiners shall hold such examinations as the board of education may prescribe, upon the recommendation of the superintendent of schools and shall prepare all necessary eligible lists, which shall be kept in the office of the superintendent of schools and be open to public inspection. Members of said board of examiners shall hold office for a term of two years. Appointments and promotions of teachers, principals and other educational employees shall be made for merit only, and after satisfactory service for a probationary period of three years, (during which period the board may dismiss or discharge any such probationary employee upon the recommendation, accompanied by the written reasons therefor, of the superintendent of schools), appointments of teachers and principals shall become permanent, subject to the rules of the board concerning conduct and efficiency, and subject to removal for cause in the manner provided by section 161 of this Act: *Provided, however,* that in determining the duration of the probationary period of employment in this section specified, there shall be included the time of past service of all teachers and principals and other educational employees who are in the schools at the time, or who have been therein within five years immediately preceding the time this Act goes into effect: *And further provided,* that when any teacher or principal, who has been promoted to the position of assistant or district superintendent or a member of the board of examiners, is relieved of the duties of such position, such person shall be reinstated in the position from which he was promoted. The words "teachers and principals" shall be construed to include all members of the teaching force except the superintendent of schools, assistant and district superintendents and members of the board of examiners.

§ 139. The specifications of the powers herein granted are not to be construed as exclusive, but the board of education shall exercise all the powers that may be requisite or proper for the maintenance and the fullest development of an efficient public school system, not inconsistent with these [those] general provisions of the school law of the State which apply to all school districts.

§ 161. No teacher or principal who has been or shall be appointed by said board of education shall (after serving the probationary period of three years specified in section 138 of this Act) be removed except for cause, and then only by a vote of not less than a majority of all members of the board, upon written charges presented by the superintendent of schools, to be heard by the board, or a duly authorized committee of the same, after thirty days' notice, with copy of the charges, is served upon the person against whom they are preferred, who shall have the privilege of being present, together with counsel, offering evidence and making defense thereto. At the request of any party such hearing shall be public. The action and decision of the board in the matter shall be final. Pending the hearing of such charges, the person charged may be suspended as by the rules of the board may be prescribed:

Provided, however, that in the event of acquittal, such person shall not suffer any loss of salary by reason of the suspension. If at any time any member of the teaching force who is willing to continue is dismissed or discharged before the time he or she would under the provisions of this Act be entitled to a pension, then such member shall be paid back at once the money he or she may have contributed under this law. Any member of the teaching force who shall retire voluntarily from the service, prior to entering upon the period of service during which he or she might become entitled to a pension or benefit for or on account of disability, as provided by law, shall receive a refund of one-half of the money he or she shall have contributed under this law.

§ 2. WHEREAS, an emergency exists, this Act shall take effect from and after its passage and approval.

APPROVED April 20, 1917.

COMMITMENT TO PARENTAL OR TRUANT SCHOOL.

§ 1. Amends section 145, Act of 1909.

§ 145. Order committing child to such parental or truant school to be kept there until sixteen years of age.

(HOUSE BILL No. 462. FILED JUNE 29, 1917.)

AN ACT to amend section 145 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as thereafter amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 145 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and the same is hereby amended so as to read as follows:

§ 145. ORDER COMMITTING CHILD TO SUCH PARENTAL OR TRUANT SCHOOL TO BE KEPT THERE UNTIL SIXTEEN YEARS OF AGE.) Upon the filing of such petition the clerk of the court shall issue a writ to the sheriff of the county directing him to bring such child before the court, and if the court shall find that the material facts set forth in the petition are true, and if, in the opinion of the court, such child is a fit person to be committed to such parental or truant school, an order shall be entered that such child be committed to such parental or truant school, to be kept there until he or she arrives at the age of sixteen years, unless sooner discharged in the manner hereinafter set forth. Before such hearing, notice in writing shall be given to the parent or guardian of such child, if known, of the proceedings about to be instituted, that he or she may appear and resist the same if either of them so desire.

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.
Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

CONSOLIDATION OF SCHOOL DISTRICTS.

§ 1. Amends Act of 1909, by adding section 121a.

§ 121a. Provides for the consolidation of school districts, and the submission of proposition to voters.

(SENATE BILL NO. 199. FILED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "*An Act to establish and maintain a system of free schools,*" approved and in force June 12, 1909, as subsequently amended, by adding thereto a new section to be known as section 121a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to establish and maintain a system of free schools,*" approved and in force June 12, 1909, as subsequently amended, be and the same is hereby amended by adding thereto a new section to be known as section 121a which new section shall read as follows:

§ 121a. (a) Any two or more school districts may be consolidated and all the pupils of the school districts so consolidated, may attend the consolidated school in accordance with the terms hereof.

(b) When it is proposed to consolidate two or more school districts, a joint meeting of the directors of the schools it is proposed to consolidate shall be called by not less than two directors representing each district by giving not less than five days' notice by mail, of the time and place of such meeting to each of the directors of all the districts proposed to be consolidated. By action of the meeting so called, the question of consolidation may be submitted to the voters of each district in which a majority of the directors shall favor consolidation. The call for such election shall state the time of the election and fix the place at the school house in each district included and shall be advertised in the same manner as is or may be provided for advertising the election of directors. Such call shall also state the place or site of the proposed consolidated school.

(c) Upon such election, if in each school district the majority of the votes upon the proposition shall be in favor of the consolidation, such districts shall be consolidated according to the terms of the proposal. If in any one school district the majority shall be against the consolidation, the election shall be of no effect.

(d) Additional districts may thereafter be added to the consolidated school by a majority vote of both the consolidated districts and the districts seeking to be included therein, upon such terms and conditions as may be fixed by the consolidated district or may be mutually agreed upon.

(e) The board of directors of such consolidated school, at any time after a consolidation has been effected, shall provide free transportation for pupils residing at a distance from such consolidated school site.

(f) Such consolidation and free transportation shall be held to be a compliance with paragraph 9 of section 114 of this Act entitling school districts to receive a share of the funds distributed in accordance with section 35 of this Act.

(g) The ballot for use in voting upon consolidation under this section shall be in substantially the following form:

For the consolidation of the schools of districts No., At	
Against the consolidation of the schools of districts No. At	

The electors shall mark their ballots with a cross in the square opposite and to the right of the proposition they favor.

(h) If two or more districts shall vote to consolidate, the directors of such district shall, within ten days after the election, meet and call an election for directors of such consolidated district. At such election there shall be elected five directors, two to serve for one year, two to serve for two years, and one to serve for three years; directors thereafter elected to serve three years.

(i) The board of directors so elected shall perform all the duties and exercise all the powers conferred upon board of school directors, in connection with such consolidated school, and to all intents and purposes, such consolidated district shall be and become a single school district.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

EDUCATION OF DEAF AND BLIND CHILDREN.

§ 1. Duty of parent or guardian.

§ 3. Neglect—penalty.

§ 2. Expense.

(HOUSE BILL No. 392. FILED JUNE 28, 1917.)

AN ACT to make provision for the education of deaf and blind children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be the duty of every parent, guardian or other person, having the control or charge of any child in this State between the ages of eight and eighteen years, who is deaf or blind, or whose hearing or vision is so defective as to make it impracticable to have such child educated in the ordinary public schools of this State, to send such child to some school under private or public supervision, where special provision is made for the education of the deaf or blind; if there be such a school within the county where such child resides, then such child may be sent thereto, but if not, then to some other convenient school of that character, within the State or to the Illinois School for the Deaf, or to the Illinois School for the Blind, at Jacksonville. *Provided* that nothing herein shall require a child not physically or mentally competent to be educated, to be so sent.

§ 2. In cases where such parent, guardian or other person having the control or charge of any such child who is deaf or blind, or whose hearing, or vision is defective, as aforesaid, is unable financially, to furnish such child with transportation or the proper and necessary clothing, the County Court of the county in which such child resides, or in which it may be found on the application of any citizen of the county, may make an order directing such child to be taken to such school as the parent guardian or custodian may prefer, or if no preference be so expressed, then to such school as the court may deem for the best interest of such child, and for the furnishing of transportation for that purpose, which transportation shall include a proper custodian, preferably the parent or guardian, and also for the furnishing of suitable and proper clothing, if that be necessary, which expense shall be advanced by the sheriff of the county, and allowed by the board of supervisors on his bill properly vouchered, which order may also include an allowance for the return of such child at suitable intervals.

And further, such County Court is empowered in cases where such parent, guardian or other person having such custody fails or neglects to perform the duty herein imposed, to enter upon a summary hearing on due notice, on complaint of any citizen of the county, and to make an order directing such sending, which order may be enforced by attachment or contempt proceeding, or by judgment and execution or other civil process.

And, further, the duty of seeing that this law is enforced is placed upon the truant officer of the school district, where such an one exists and also upon the state's attorney of the county where such child resides.

§ 3. Any person who shall come within the above requirements, and who shall wilfully fail, neglect or refuse to send any such deaf or blind, child, or child with defective hearing or vision, as aforesaid to some suitable school under private or public supervision, where special provision is made for the education of the deaf or blind and which child is physically mentally competent to be educated, shall be deemed guilty of a misdemeanor, and shall be fined not less than five dollars nor more than twenty dollars for each offense, and may be committed until fine and costs are paid.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

ELECTION OF TOWNSHIP HIGH SCHOOL BOARD OF EDUCATION.

§ 1. Amends section 86, Act of 1909.

§ 86. Provides form of ballot.

(SENATE BILL NO. 237. APPROVED JUNE 28, 1917.)

AN ACT to amend section 86 of an Act entitled "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended by an Act approved June 6, 1911, and in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 86 of an Act entitled

"An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended by an Act approved June 6, 1911, and in force July 1, 1911, be and the same is hereby amended to read as follows:

§ 86. If a majority of the votes cast shall be in favor of establishing a township high school it shall be the duty of the treasurer to call a special election on any Saturday within sixty days for the purpose of electing a township high school board of education, to consist of five members, notice of which election shall be given for the same time and in the same manner as provided in the election of trustees of schools. The members elected shall determine by lot, at their first meeting, the length of term each is to serve. Two of the members shall serve for one year, two for two years and one for three years from the second Saturday of April next preceding their election. At the expiration of the term of office of any member or members, a successor or successors shall be elected, each of whom shall serve for three years, which subsequent election shall be held on the second Saturday in April. In case of a vacancy the board shall call an election without delay, to be held on any Saturday.

The ballots to be used at all elections held for the selection of a member or members of the township high school board of education shall be furnished by the township high school district and shall be in form substantially as follows:

For.....members to serve three years.

Vote for.....

Frank Chance.

Tyrus Cobb

Margaret Murphy

Elizabeth Brown.

The voter shall make a cross-mark in the square preceding the name or names of the candidate or candidates of his choice and the ballot shall be so counted. The nominations of candidates for the offices of members of the board of education shall be made only by petition. All petitions shall be filed with the secretary at least ten days before the day of election. All petitions shall be signed by at least 10 per cent of the legal voters of the district, but not to exceed fifty such signatures shall be required to make valid any petition. The names of candidates shall be printed in the order in which the petitions are filed with the secretary.

Such election shall be held under the Australian ballot system as provided in the general election laws and as detailed in section 22 and section 23 of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, at the school house or such other place as shall be designated by the proper officers in the notice of election.

Within ten days after their election the members of the township high school board of education shall meet and organize by electing one

of their number president, and by electing a secretary. It shall be the duty of such high school board of education to establish, at some central point most convenient to a majority of the pupils of the township, a high school for the education of the more advanced pupils.

APPROVED June 28, 1917.

HIGH SCHOOL DISTRICTS—TUITION.

§ 1. Amends sections 88, 89, 90, 91, 92, 93, 94, 95 and 96, Act of 1909.

§ 88. Extends right to petition to those living in congressional townships, etc.

§ 89. Limits right to hold election and provides for payment of expense thereof.

§ 90. Gives Superintendent of Public Instruction right to fix boundary lines of high school districts, etc.

§ 91. Notice must be posted in ten of most public places.

§ 92. Petition must be signed by fifty legal voters.

§ 93. Election of board and filling of vacancies, etc.

§ 94. Provides for payment of expense of election.

§ 95. Treasurer.

§ 96. Limits the amount of tuition.

(HOUSE BILL NO. 709. APPROVED JUNE 22, 1917.)

AN ACT to amend sections 88, 89, 90, 91, 92, 93, 94, 95 and 96, of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, and to repeal conflicting statutes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 88, 89, 90, 91, 92, 93, 94, 95 and 96 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, be amended so that said section [sections] shall read as follows:

§ 88. The inhabitants of any territory composed of parts of adjoining townships or of a congressional township and parts of one or more adjoining townships may create such territory into a high school district by a petition signed by at least 50 legal voters and an affirmative vote in such territory, and may elect a board of education therefor, as in other high school districts. When part of a township has been included in any high school district pursuant to any of the provisions of this Act, the remainder of such township, not included in any high school district, shall constitute a township for high school purposes.

When any city in this State having a population of not less than one thousand and not exceeding one hundred thousand inhabitants lies within two or more townships, that township in which a majority of the inhabitants of the city reside shall, with the city, constitute under this Act a school township for high school purposes.

When any township in any county under township organization shall contain two political towns divided by an unbridged navigable stream as recognized by the United States, each of which shall contain a city of not less than one thousand nor more than one hundred thousand

inhabitants, each town shall constitute a township under this Act for high school purposes.

§ 89. Upon the receipt of a petition signed by fifty or more legal voters residing in any compact and contiguous territory described in said petition, whether in the same or different townships, the county superintendent of schools of the county in which the territory or the greater part thereof described in the petition is situated, shall order an election to be held for the purpose of voting "for" or "against" the proposition to establish a community high school, by posting notices for at least ten days in ten of the most public places throughout the territory described in the petition, which notices may be substantially in the following form:

NOTICE OF ELECTION.

Notice is hereby given that on.....the.....day of....., 19...., an election will be held at.....for the purpose of voting "for" or "against" the proposition to establish a community [community] high school for the benefit of the inhabitants of the following described territory:
The polls to be opened at.....o'clock....M., and closed at.....o'clock....M.

A..... B.....
County Superintendent.

Said community high school district shall be formed, as far as practicable, about a community center, and have sufficient territory, assessed valuation, and prospective high school pupils to form a satisfactory and efficient high school, and it shall be the duty of the county superintendent of schools before calling the election to consider the form, size, and assessed valuation of the proposed high school district and the number of prospective high school pupils in the same, and if in his judgment the proposed district does not meet the requirements heretofore specified in this section he may refer the petition back to the petitioners with recommendations as to changes before he calls the election, or he may deny the prayer of the petition.

Provided, however, that in forming these high school districts, existing school districts shall not be divided by high school district boundaries, except where in the judgment of the county superintendent of schools of the county in which the larger part of the proposed high school district lies, it is necessary in order to make a compact and satisfactory high school district.

If a majority of the votes cast at said election shall be in favor of establishing a community high school the county superintendent shall forthwith order an election to be held within thirty days for the purpose of electing a community high school board of education to consist of five members. The members elected shall determine by lot at the first meeting the length of term each is to serve. Two of the members shall serve for one year, two for two years, and one for three years, from the third Saturday of April next preceding their election. At the expiration of the term of office of any member or members, the successor or suc-

cessors shall be elected, each of whom shall serve for three years, which subsequent election shall be held on the third Saturday in April. The manner of holding elections shall be governed by section [sections] 126 and 126A of the general school law. In case of a vacancy the remaining members shall fill said vacancy by appointment until the next regular election. Within ten days after their election the members of a community high school board of education shall meet and organize by electing one of their number president and by electing a secretary. It shall be the duty of such board of education to establish at some central point most convenient to a majority of the pupils of the district a community high school providing for four years of high school work. *Provided however*, that if a majority of the votes cast at said election shall be against the establishment of a community high school there shall not be another election held for a like purpose for a period of one year. The expense of all elections called by the county superintendent of schools under the provisions of this Act shall be paid by the county.

§ 90. An *ex officio* board composed of the county superintendent of schools, the county judge and county clerk, may in its discretion change the boundaries of any township or community high school districts so as

First. To detach territory from one high school district and add the same to another high school district when petitioned by two-thirds of the legal voters residing within the territory described in the petition asking that said territory be detached from one high school district and added to an adjacent high school district, or when petitioned by a majority of the legal voters of each high school district.

Second. To create a community high school district from territory belonging to one or more high school districts when petitioned by two-thirds of the legal voters residing within the territory described in the petition asking that such territory be created into a new community high school district.

Third. To detach territory from a high school district and add the same to a non-high school district when petitioned by two-thirds of the legal voters residing within such territory.

Fourth. To annex territory not within a high school district to a high school district upon petition of two-thirds of the legal voters residing within such territory.

Fifth. To create a community high school district from territory belonging to one or more high school districts, together with territory from a non-high school district when petitioned by a majority of the legal voters residing within each of respective districts and non-high school territory above described.

If the districts involved in the change of boundaries lie in two or more counties, the change may be made by the concurrent action of the *ex officio* boards of said counties.

In all cases involving the change of boundary of high school districts an appeal may be taken to the Superintendent of Public Instruction, and the Superintendent of Public Instruction, on appeal, shall have authority to order a change in boundaries of all abnormal high school districts with a view of making each high school district consist of

compact and contiguous territory comparatively easy of access to all the pupils of the district, and to the end that justice shall be done.

The *ex officio* board vested with power to change the boundaries of any township or community high school district shall, after the filing of any petition as provided above, give thirty days public notice, by posting in at least five public places in each district whose boundaries are to be affected, of a public hearing upon such petition, and at such hearing the *ex officio* board shall hear objections if any against such proposed change.

Within ten days after a high school district has been established under the provisions of this Act or after any change is made in the boundaries of any district or districts the county superintendent of schools shall make and file with the county clerk a map of the high school district or districts established or involved in any change of boundaries.

Within thirty days of the election of the board of education of a high school district as contemplated by this Act, the county superintendent of schools shall file in the office of the county clerk a transcript certified to by him showing all the steps taken and proceedings had in the organization of said high school district.

If any high school district organized under any of the provisions of this Act, or organized under any statute in force at the time of its organization or legalized by any statute, shall for one year fail to maintain a recognized high school it shall be the duty of the *ex officio* board of the county in which the larger part of the district lies to dissolve said high school district and attach the territory of the district to other high school districts, or to non-high school districts, or in part to both. All funds or property of such district shall be distributed by the county superintendent of schools as provided in section 92 of this Act.

The necessary travelling expenses of the *ex officio* board shall be paid by the county.

§ 91. For the purpose of building school houses, conducting and supporting the high school and paying all necessary expenses, the territory for the benefit of which a high school is established under any of the provisions of this Act, and all high school districts organized under any statute in force at the time of their organization, and all high school districts legalized by statute, shall be regarded as school districts, and the board of education of each of said high school districts shall in all respects have the powers and discharge the duties of boards of education elected under the general school law: *Provided, however,* that in all elections held under the provisions of this Act the board of education shall have the power to establish a suitable number of voting precincts for the accommodation of voters of the district in which said election is held, and shall fix the boundaries of said precincts, and designate one polling place in each, which precincts shall be composed of contiguous territory in as compact form as may be for the convenience of the electors voting therein. Said board shall appoint two judges and one clerk for each polling place, assigning so far as practicable at least one member of such board to each polling place. Notice of all such elections shall be

in the form now prescribed by law and be posted by the said board of education in at least ten of the most public places in each of said voting precincts at least ten days previous to the day of election.

§ 92. When the inhabitants of any township or community high school district desire to have said district discontinued, the county superintendent of schools of the county in which said district or the larger portion thereof is situated, upon receipt of a petition signed by fifty legal voters of said district, shall forthwith order an election to be held in the manner provided in section 89 of this Act for the purpose of voting "for" or "against" the proposition of discontinuing the high school named in said petition. If two-thirds of the ballots cast at said election shall be in favor of discontinuing the high school, the county superintendent of school [schools] shall direct the high school board of education to discharge all outstanding obligations, to distribute the remainder of the assets of the high school district to the underlying school districts and parts of districts in proportion to the assessed valuation of all the property of such school districts and parts of districts: *Provided*, that the election called to vote upon the proposition of discontinuing a high school shall not be called within the period of two years from the establishment of such high school district, nor within a period of two years following any such election called to vote upon the proposition of discontinuing such high school. When a high school shall be discontinued by order of any court of competent jurisdiction the assets of said high school district shall be distributed in the manner provided by this section.

§ 93. In each county of the State, all the territory of the county not included in a township high school district, or a community high school district, or a district maintaining a recognized four year high school, shall be organized into a non-high school district for the purpose of levying a tax to pay the tuition of all eighth grade graduates residing in such non-high school district, including pupils attending a recognized two or three year high school conducted by a local school district. The board of education for said non-high school district shall be constituted as follows: The county superintendent of schools shall be an ex-officio member of said board and secretary thereof; but he shall have no vote. The remaining members of the non-high school district board shall be elected as follows: On or before August 1, 1917, the county superintendent of schools shall call an election for the purpose of electing three members of the board of education of said non-high school district, and shall designate a sufficient number of precincts and polling places and select the judges and clerks for such election. At the first meeting of said board the length of the term of each of the said three elected members shall be determined by lot. One of said members shall serve for one year, one for two years, one for three years from the third Saturday of April next preceding their election. At the expiration of the term of office of any elected member or members a successor or successors shall be elected who shall serve for three years. Each subsequent election shall be held on the third Saturday in April. In case of a vacancy in the said board of education the remaining members shall fill the vacancy by appointment until the next annual election. Within ten days after

the election the members of said board of education shall meet and organize by electing one of their number president. The nominations of candidates for members of the board of education for the non-high school district shall be made only by petition. All nominating petitions shall be filed with the county superintendent of schools at least fifteen days before the date of election. All petitions shall be signed by at least fifty legal voters of the district. The names of the candidates shall be printed on the ballot in the order in which the petitions are filed with the county superintendent of schools. The first election for members of the board of education for the non-high school district shall be held at the polling places of the districts comprising the non-high school territory and the judges and clerks of the district election boards shall receive and canvass the ballots and seal and mail them to the county superintendent of schools. The county superintendent of schools shall file the results of said election with the county clerk. The ballots to be used at the election held for the selection of members of the board of education of the non-high school district shall be furnished by the county, and shall be in the form prescribed by the county superintendent of schools. Voters shall make a cross mark in the square preceding the name or the names of the candidates of his choice and the ballots shall be so counted. At all subsequent elections in the non-high school districts the vote shall be canvassed by the non-high school board and the results filed with the county clerk. The polling place for subsequent elections in the non-high school district shall be designated by the board of education of the non-high school district. The manner of holding elections shall be governed by sections 126 and 126a of the General School Law, except where otherwise specifically directed herein.

None of the provisions of this Act regarding the establishment of non-high school districts shall be construed to prevent the organization of any territory of such non-high school districts, into township or community high school, school districts.

§ 94. The board of education of a non-high school district shall have the following powers and it shall be its duty:

First. To levy a tax annually upon all the taxable property of such non-high school district, not to exceed one per cent upon the valuation to be ascertained by the last assessment for State and county purposes, for the purpose of paying the tuition of all eighth-grade graduates residing within such non-high school district, attending any two, three or four year recognized high school. Such tax levy shall be certified and returned to the county clerk on or before the first Tuesday in October. The certificate shall be signed by the president and secretary of the board and may be in the following form, to-wit:

CERTIFICATE OF TAX LEVY.

We hereby certify that we require the sum of.....dollars to be levied as a special tax to pay the tuition of graduates of the eighth grade residing in the non-high school district of.....,

county, on the equalized assessed valuation of the taxable property of our non-high school district.

Signed this.....day of....., 19....

A....., B....., President.

C....., D....., Secretary.

A failure to certify and return the certificate of tax levy to the county clerk in the time required shall not vitiate the assessment.

Second. To issue orders on the county treasurer on or before the first Tuesday of May of each year for the payment of the tuition of eighth grade graduates residing within such non-high school district attending a recognized high school, provided such attendance shall be certified to said board by the board of education of the high school attended. Such orders shall be payable out of any funds belonging to said non-high school district.

Third. To make such reports as may be required by the State Superintendent of Public Instruction and by the county superintendent of schools.

Fourth. To pay election expenses and other necessary incidental expenses out of the funds of the non-high school district.

§ 95. The county treasurer shall be the treasurer of the non-high school district of the county. He shall receive and hold all moneys belonging to said district and shall pay out the same upon lawful orders issued by the board of education of said non-high school district. He shall report to the secretary of the board of education of the non-high school district on or before the thirtieth day of June annually the receipts and expenditures of funds belonging to said district and the balance on hand. He shall make annually a complete report to the county superintendent of schools, including therein whatever statistics may be required by the county superintendent and shall perform such other duties in connection with the non-high school district as are performed, by the township treasurers for school districts as required by the General School Law.

§ 96. Upon the approval of the county superintendent of schools any high school pupil may attend a recognized high school more convenient in some district other than the high school district in which he resides and the board of education of the high school district in which said pupil resides shall pay the tuition of such pupil, provided, said tuition shall not exceed the per capita cost of maintaining the high school attended. Any eighth grade graduate residing in a non-high school district may attend any recognized two, three or four year high school, and his tuition shall be paid by the board of education of the non-high school district in which he resides.

An eighth grade graduate in the meaning of this Act is any person of school age who gives satisfactory evidence of having completed the first eight grades of school work by presenting a certificate of promotion issued by the home school board, or by passing an examination given by the county superintendent of schools or by passing an examination given by the school attended.

A recognized high school in the meaning of this Act is any public high school providing a course of two or more years of work approved by the Superintendent of Public Instruction.

The tuition paid shall in no case exceed the per capita cost of maintaining the high school attended, excluding therefrom interest paid on bonded indebtedness which shall be computed by dividing the total cost of conducting and maintaining said high school by the average number of pupils enrolled, including tuition pupils[.]

§ 2. An Act entitled, "An Act to provide high school privileges [privileges] for graduates of the eighth grade," approved June 26, 1913, in force July 1, 1913, and all other Acts and parts of Acts in conflict with the provisions of this amending Act, are hereby repealed.

APPROVED June 22, 1917.

LEGALIZING ORGANIZATION OF HIGH SCHOOL DISTRICTS.

§ 1. Elections called for the purpose of organizing high school districts, and electing boards of education made legal and valid.

§ 3. Over-lapping districts.

§ 4. Pending actions abated.

§ 2. Act and proceedings of districts and boards of education declared legal.

§ 5. Validity.

§ 6. Emergency.

(HOUSE BILL NO. 101. APPROVED JUNE 14, 1917.)

AN ACT entitled, "*An Act to legalize the organization of certain high school districts.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where a majority of the inhabitants of any contiguous and compact territory voting on the proposition, having voted at any election called for the purpose by a county superintendent of schools in favor of the organization of such territory into a high school district, and when at a subsequent election similarly called and held a board of education has been chosen for such district, each such election is hereby made legal and valid and such territory is hereby declared legally and validly organized and established as a high school district, and a valid and existing school district and body politic and corporate of this State for the purpose of establishing and maintaining a high school. The board of education acting for each such district is hereby declared to be the duly constituted corporate authority thereof, and each such board shall hereafter consist of a president and six members, and shall be elected and organized in the same manner and have the powers and discharge the duties of boards of education of school districts as provided by sections 123, 125, 126, 126a and 127 of an Act of the General Assembly of the State of Illinois entitled, "An Act to establish and maintain a system of free schools," approved June 12, 1909, as said sections now exist or may from time to time be amended.

§ 2. All Acts and proceedings heretofore done, had or performed by each such district and the persons from time to time elected and acting as the board of education thereof, such as are authorized to be done, had or performed by school districts or boards of education thereof by

the general school laws of this State are hereby declared to be legal and valid in all respects.

§ 3. Whenever there are two such districts which overlap in territory, that district which shall have first established and now continues to conduct a high school, is hereby validated and confirmed.

§ 4. All pending actions attacking the organization of districts coming under the provisions of this Act shall abate.

§ 5. The invalidity of any section of this Act shall not affect the remainder thereof.

§ 6. WHEREAS, an emergency exists, therefore this Act shall be in full force and effect from and after its passage and approval.

APPROVED June 14th, 1917.

PLAY GROUNDS.

§ 1. Play grounds established.

§ 3. Police control.

§ 2. Not required to be contiguous.

§ 4. Emergency.

(HOUSE BILL NO. 425. APPROVED JUNE 25, 1917.)

AN ACT authorizing school districts to acquire real estate by gift, donation or devise for the purpose of establishing, maintaining and operating play grounds, recreation grounds and athletic fields and to provide for the policing thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Any school district in this State organized and existing under the general law or by special charter is hereby authorized and empowered to acquire by gift, donation or devise, real estate, and to hold the same, not to exceed ten (10) acres in school districts having less than ten thousand inhabitants, for the purpose of establishing play grounds, recreation grounds and athletic fields, and to equip the same and to operate and maintain the same, the cost of equipping, maintaining and operating the same to be paid from the building fund levied, collected and appropriated in such school district.

§ 2. Such real estate so acquired need not be contiguous to any other school property or real estate owned by such school district.

§ 3. If such real estate so acquired by such school district shall lie partly or wholly outside the corporate limits of any city, village or incorporated town situated in such district, then such real estate so acquired shall, if the same be situated within one mile of the corporate limits of any such city, village or incorporated town in such school district, be under the police control and protection of the police force or police department of such city, village or incorporated town, and it is hereby made the duty of any such city, village or incorporated town to exercise police control and protection over such real estate and its equipment, in the same manner and to the same extent that such city, village or incorporated town would exercise police control and protection thereover if such real estate were situated within the corporate limits of such city, village or incorporated town.

§ 4. WHEREAS an emergency exists; therefore, this Act shall be in force and effect from and after its passage.

APPROVED June 25, 1917.

PROPERTY CONVEYED, DEVISED OR BEQUEATHED FOR USE OF PUBLIC SCHOOL DISTRICTS.

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| <p>§ 1. Title to property, conveyed, devised, bequeathed, or donated for use of public schools to vest in board of directors, or board of education.</p> | <p>§ 2. Act not to apply where instrument vests the title in a designated trustee or grantee.</p> |
| | <p>§ 3. Saving clause.</p> |

(HOUSE BILL NO. 775. APPROVED JUNE 27, 1917.)

AN ACT *relative to property conveyed, devised or bequeathed for the use and benefit of any public school district.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whenever any grant, gift, donation, devise or bequest of real estate or personal property has been or shall be, directly or indirectly, made to or for the use of any public school district in this State and the deed, will or other instrument by which such grant, gift, donation, devise or bequest is made declares in terms or in substance that such property shall be held, managed, improved and to be vested in the board of directors (or board of education as the case may be) of such district for the use so expressed and shall be held, managed, improved, invested or disposed of by such board in such manner as will best promote and carry into effect the intention of the person making such grant, gift, donation, devise or bequest as expressed in the instrument by which the same was or shall be so made.

§ 2. This Act shall not apply in any case where the deed, will or other instrument by which such gift, donation, devise or bequest has been or shall be made, effectively vests the title and control of such property in a trustee or grantee named in such deed, will or other instrument, *provided, however,* if the trustee or grantee so named is incapable of taking or administering the trust so created, or if the grantee or trustee so named shall refuse or fail to accept such trust, then the title and control thereof shall vest as provided in section 1 hereof.

§ 3. Nothing contained herein is intended to, nor shall it be so construed as to validate or make effective any bequest, devise or legacy which but for this enactment would have been invalid or ineffective.

APPROVED June 27, 1917.

TEACHERS' PENSION FUND IN DISTRICTS UNDER SPECIAL ACTS.

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| <p>§ 1. Amends section 3, Act of 1913.</p> | <p>§ 3. What fund consists of.</p> |
| <p>(SENATE BILL NO. 491. FILED JUNE 26, 1917.)</p> | |

AN ACT *to amend an Act entitled, "An Act to enable any board of school inspectors, or any body or board of officials which governs or has charge of the affairs of any school district having a population of not fewer than ten thousand (10,000) and not more than one hundred thousand (100,000) inhabitants and governed by special Acts of the General Assembly of this State and in such other districts as may hereafter be ascertained by any special or general census to have such population, and which school districts are also governed by like special Acts, to establish and maintain a Teachers' Pension and Retirement Fund," approved June 27, 1913, in force July 1, 1913, as subsequently amended, by amending section 3 thereof.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to

enable any board of school inspectors or any body or board of officials which governs or has charge of the affairs of any school district having a population of not fewer than ten thousand (10,000) and not more than one hundred thousand (100,000) inhabitants and governed by special Acts of the General Assembly of this State, and in such other districts as may hereafter be ascertained by any special or general census to have such population, and which school districts are also governed by like special Acts, to establish and maintain a Teachers' Pension and Retirement Fund," approved June 27, 1913, in force July 1, 1913, as subsequently amended, be, and the same is hereby amended by amending section 3 thereof to read as follows:

§ 3. The Teachers' Pension and Retirement Fund shall consist of moneys contributed by teachers under the provisions of this Act; also of moneys received from donations, legacies, gifts, bequests and otherwise, of moneys paid into said fund in pursuance of any law now in force or hereafter enacted; and of any sum or sums payable thereto from the common school fund of the State as may be provided by law. *Provided* that any amounts taken from the common school fund shall be taken away only from that part of said fund which under the law would otherwise be distributable to counties or districts coming under the provisions of this Act.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

TEACHERS' PENSION AND RETIREMENT FUND—STATE.

§ 1. Amends section 23, Act of 1915.

§ 23. Maintenance and administration of the Illinois State Teachers' Pension and Retirement Fund.

(SENATE BILL NO. 490. FILED JUNE 26, 1917.)

AN ACT to amend an Act entitled: "*An Act in relation to an Illinois State Teachers' Pension and Retirement Fund,*" approved May 27, 1915, in force July 1, 1915, by amending section twenty-three (23) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "*An Act in relation to an Illinois State Teachers' Pension and Retirement Fund,*" approved May 27, 1915, in force July 1, 1915, be, and the same is hereby amended, by amending section twenty-three (23) thereof, to read as follows:

§ 23. Such sums as shall be provided by law to apply to the maintenance and administration of the Illinois State Teachers' Pension and Retirement Fund shall be covered into said fund and drawn and disbursed according to law: *Provided*, that any portion of the common school fund apportioned to cities or school districts not coming under

the provisions of this Act shall not be diminished or affected by the provisions of this Act.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

TEACHERS' PENSION AND RETIREMENT FUND—STATE INSTITUTIONS.

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| § 1. Creates State Institutions Teachers' Pension and Retirement Fund—by whom administered. | § 13. What moneys to constitute fund. |
| § 2. Act to apply to what teachers. | § 14. Auditor of Public Accounts to draw warrants to pay annuities. |
| § 3. Board of trustees to administer. | § 15. Who may retire and receive annuity—how term of service computed—retirement—application in writing. |
| § 4. How expenses paid. | § 16. Life annuity—not to exceed \$400 in any one year. |
| § 5. Annual report. | § 17. Contributor who shall cease to teach—upon application in writing to receive one-half of amount contributed. |
| § 6. Deductions from salaries of teachers. | § 18. When annuities paid. |
| § 7. Persons entitled to benefits of fund—classes—assessments—evidence of service. | § 19. Leave of absence for profession preparation. |
| § 8. Who presumes to agree to contribute. | § 20. Person retiring may re-enter service. |
| § 9. Who may elect to come under Act—notice to administrative officers. | § 21. Annuities not subject to attachment, garnishment or execution. |
| § 10. Funds transmitted to State Treasurer quarterly—verified statement annually. | § 22. Term "teacher" defined. |
| § 11. What statement to include. | |
| § 12. State Treasurer to credit moneys received to funds. | |

(SENATE BILL NO. 260. FILED JUNE 14, 1917.)

AN ACT to create and administer a State Institutions Teachers' Pension and Retirement Fund.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby created a fund to be known as the State Institutions Teachers' Pension and Retirement Fund, which shall be administered by the board of trustees of the Illinois State Teachers' Pension and Retirement Fund as provided by an Act approved May 27, 1915.

§ 2. The provisions of this Act shall apply to any teacher employed in any State educational, correctional, or charitable institution (excepting the University of Illinois) supported wholly or in part by public moneys of this State.

§ 3. The board of trustees shall administer said fund. It shall have power to invest the same upon the approval of the State Treasurer in the same manner and subject to the same terms and conditions as govern township trustees in investing school funds under the law, and shall have power to pay from said fund pensions or annuities granted in this Act.

§ 4. The necessary expenses incurred in the administration of the State Institutions Teachers' Pension and Retirement Fund shall be paid from the fund. The Auditor of Public Accounts is hereby authorized and directed to draw warrants payable from said fund upon the State Treasurer for such expenses upon the presentation of vouchers approved by the president and the secretary of said board of trustees. The amount of such expenses shall bear the same ratio to the total expenses of said board of trustees in administering both the Illinois State Teachers' Pension and Retirement Fund and the State Institutions Teachers' Pension and Retirement Fund as the number of annuitants under this fund bears to the total number of annuitants under both funds.

§ 5. The board of trustees shall report annually at the first meeting after June 30. A copy of such report shall be transmitted to the Superintendent of Public Instruction who shall include the same in his biennial report to the Governor.

§ 6. The administrative officers, boards, and commissions or officer of schools or institutions of the State, coming under the provisions of this Act, shall retain on every pay-day from the salary of each teacher the amount hereinafter provided, *provided*, that such amount shall not be retained from the salary of any teacher employed in said schools or institutions when this Act takes effect who has not elected to come within the provisions of this Act as provided for in section nine (9). Each teacher shall be furnished a statement by such board showing the amount deducted from the salary of said teacher.

§ 7. All persons coming under the provisions of this Act, shall, after this Act takes effect, be entitled to the benefits of the fund upon complying with the provisions of this Act, and for the purposes of this Act such persons shall be divided into the following classes;

First—Those who have taught or been so employed ten years or fewer than ten years.

Second—Those who have taught or been so employed more than ten years but not more than fifteen years.

Third—Those who have taught or been so employed more than fifteen years.

After this Act shall take effect there shall be set apart from the salaries of all such persons for the first five months taught after July first of each year, \$1.00 per month for each teacher of the first class, \$2.00 per month for each teacher of the second class, \$6.00 per month for the first ten years of each teacher of the third class; which amount shall be deducted by the managing body or officer of the school in which such teacher shall be teaching from the salary of such teacher at the regular time for the payment thereof, and the same shall be paid into and constitute a part of the said State Institutions Teachers' Pension and Retirement Fund. The total amount paid into said fund by each teacher shall be based upon twenty-five (25) years of service as provided in this section: *Provided*, that such total amount thus set apart from any teacher's salary for the State Institutions Teachers' Pension and Retirement Fund together with portions of such teacher's salary

previously set apart for the Illinois State Teachers' Pension and Retirement Fund shall not be less than the full amount of the annuity to which such teacher shall be entitled for the first year nor more than four hundred (400) dollars as provided in clause (a) of section 15 of this Act. Said assessments shall cease after twenty-five years of service.

All persons becoming contributors to said State Institutions Teachers' Pension and Retirement Fund for the first time shall submit to the managing body or officer of the school in which they shall be teaching[,] evidence that has been approved and accepted by the board of trustees of said fund, attesting and proving service rendered in public schools or in State schools or institutions of this or some other state, and such evidence shall be the basis for placing such teachers in the proper class of the classes provided in this section.

§ 8. Any person accepting a position under the provisions of this Act, after this Act takes effect, shall be conclusively deemed to undertake and agree to pay such amounts and have such amounts deducted from his or her salary as herein provided.

§ 9. Any person already employed as teacher in any State school or institution coming under the provisions of this Act, when this Act takes effect, may at any time before the first day of September, 1920, elect to come within the provisions of this Act by notifying in writing the board of trustees of the Illinois State Teachers' Pension and Retirement Fund. At the time of giving said notice such teacher shall notify in writing the administrative officers, boards, commissions or officer of the school in which such teacher shall be teaching of his or her election to come within the provisions of this Act; and said notice shall authorize said administrative body or officer to deduct from the payments of salary due him or her the amount provided in section 7 of this Act.

§ 10. The administrative officers, boards, commissions, or officer of each school or institution coming under the provisions [of] this Act, shall transmit quarterly to the State Treasurer all sums retained for said fund during the preceding quarter, and each year within seven days after the thirtieth day of June, shall forward to the State Treasurer a statement, verified by the secretary or clerk thereof, of all moneys retained from teachers' salaries in accordance with the provisions of this Act.

§ 11. Said statement shall include the following: Name and monthly salary of each teacher, number of months of school taught by such teacher in said school or institution during the school year for which the statement is made, the number of months constituting a school year in such school or institution, the total salary of each teacher, the total amount withheld from the salary of each teacher in accordance with the provisions of this Act, the total amount so withheld from the salaries of all such teachers for the school year next preceding, and the total number of years each teacher coming under the provisions of this Act has taught in the public or State schools or institutions of this or another state.

§ 12. The State Treasurer shall credit all moneys received under the provisions of this Act to the fund designated as the State Institutions Teachers' Pension and Retirement Fund.

§ 13. The moneys received under the provisions of this Act, together with any donations or legacies received therefor, or other moneys received from any legal source or increment, and such funds as the General Assembly shall from time to time appropriate to supplement funds received from other sources shall constitute a fund to be known as the State Institutions Teachers' Pension and Retirement Fund.

§ 14. The Auditor of Public Accounts shall draw warrants upon the State Treasurer against the fund created in section 13 of this Act, to meet the expense of administering this fund and to pay the annuities provided in this Act.

§ 15. Any person who has complied with the provisions of this Act may retire and receive the annuity provided in the following cases:

(a) After a period or periods aggregating at least twenty-five (25) years of service as specified in section 22 of this Act, of which at least fifteen years shall have been spent in this State, *provided* that the payments and deductions from his or her salary have been made and turned over to said fund as provided in section 7 of this Act. If said payments shall not have amounted to four hundred (400) dollars, he or she shall pay into said fund a sum equal to that which he or she would have contributed under the provisions of this Act, had he or she been a regular contributor to said fund during said period of past service as provided by section 7 of this Act, together with simple interest thereon at the rate of four (4) per cent per annum from the time such payments would have been made to the time such payments would have been made to the time such payments are made: *Provided, however*, that any teacher who has previously contributed to the Illinois State Teachers' Pension and Retirement Fund shall be required to pay into the State Institutions Teachers' Pension and Retirement Fund, in accordance with the provision of this Act, only a sum equal to the difference between \$400.00 and the principal sum already paid into the Illinois State Teachers' Pension and Retirement Fund, together with interest as provided in this Act.

No person while receiving an annuity from any other teachers' pension or retirement fund shall receive an annuity from the fund created under this Act. Nor shall any person under fifty (50) years of age receive an annuity under this Act except as provided by clause (b) in this section.

X (b) After fifteen years of teaching service as specified in section 22 of this Act, of which not more than two-fifths shall have been outside of Illinois but within the United States, any teacher who shall have been declared by two competent physicians who have made a physical examination of such teacher at the request of the board of trustees, to be suffering from any disability such as to disqualify him or her for teaching, may during the continuance of such disability retire, provided that the payments of said teacher to the fund shall have amounted to a sum as provided in sections 6 and 7 of this Act. If said payments shall not amount to \$400.00, including payments to the Illinois State Teachers' Pension and Retirement Fund previous to said teacher's coming under the provisions of this Act, said teacher shall pay into the fund the de-

ficiencies provided in clause (a) of this section before receiving the annuity.

(c) In computing the terms of service under clauses (a) and (b) of this section a year shall be a legal school year at the time and place where said service was rendered except that where the service was rendered in public schools and institutions not included in the provisions of this Act. A time less than a legal school year in this State shall not be included as a year, but only as such proportion of a year as the number of teaching weeks in each year bears to the number of weeks required at the time to constitute a legal year in this State.

(d) Any person who has complied with the provisions of this Act and desires to retire from active service in schools and institutions covered by this Act shall apply in writing to the board of trustees of the Illinois State Teachers' Pension and Retirement Fund.

§ 16. Each teacher retiring from service in State educational, correctional, or charitable institutions coming under the provisions of this Act shall annually and for life be entitled to receive an annuity of sixteen (16) dollars for each year of service as teacher: *Provided* that said annuity shall not exceed four hundred (400) dollars for any one year, subject, however, to all the provisions of this Act.

§ 17. Any teacher excepting those provided for in clause (b) of section 15 of this Act, who is a contributor to said fund who shall cease to teach in said schools or institutions before becoming a member of the third class as provided in section 7 of this Act shall, if application be made in writing to the board of trustees within six months after date of his or her retirement, be entitled to the return of fifty per cent of the amount, without interest, which shall have been paid into the fund by such teacher. If such teacher shall again thereafter teach in any school or institution included under this Act he or she shall, within three years from the date of his or her return to the service of said school or institution, return to said fund the amount so returned to such teacher, together with simple interest on said amount at four (+) per cent per annum from the time such amount was withdrawn from the fund.

§ 18. Annuities payable under the provisions of this Act shall be paid quarterly on the first day of January, April, July, and October of each year from the State Institutions Teachers' Pension and Retirement Fund, and the Auditor of Public Accounts is authorized and directed to issue his warrants on the State Treasurer, payable from said fund, upon the presentation of vouchers approved by the president and secretary of the board of trustees of said fund.

§ 19. One year's leave of absence for professional preparation, granted by the proper authorities to any teacher under the provisions of this Act, shall be computed as a part of said twenty-five (25) years of service, provided that the payments to said fund shall be continued during said leave of absence at the same rate as if such person were in active service as such teacher. Such period or periods of absence in the aggregate shall be computed as a part of said twenty-five (25) years of service of said teacher; and in case of absence of less than a school year, only the time covered by such absence shall be computed.

§ 20. Any person retiring under the provisions of this Act may re-enter the service of said schools or institutions. During said term of teaching the annuity paid to such person shall cease. Said annuity shall again be paid to said person upon again retiring.

§ 21. Such annuities so created shall not be subject to attachment, garnishment, execution, or other seizure by process; nor shall they be subject to sale, assignment, pledge, mortgage, or other alienation.

§ 22. The term "teacher" as used in this Act shall include any teacher, teacher-clerk, principal, supervisor, supervising principal, president, superintendent or assistant superintendent, and any certified librarian or assistant librarian who shall be employed in any State educational, correctional, or charitable institution (excepting the University of Illinois) supported wholly or in part by public moneys of this State: *Provided*, that service as county superintendent of schools, assistant county superintendent of schools, teacher in any State school or institution, teacher in the public schools as defined in section 34 of an Act entitled An Act in relation to an Illinois State Teachers' Pension and Retirement Fund approved May 27, 1915, and as many as ten years of similar teaching service in other states of the United States may be counted as part of the twenty-five years of service required to enable the teacher to receive the annuity under this Act, subject, however, to all the requirements of this Act.

Provided further that the term "teacher" as used in this Act shall not include any person who does not give at least half time to the distinctly educational work of the institution in which he or she is employed.

FILED June 14, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this fourteenth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

TEXTBOOK LAW.

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| <p>§ 1. Every person offering school textbooks for sale to file in office State Superintendent of Public Instruction (a) copies and prices (b) a bond upon conditions named.</p> <p>§ 2. Bond to be approved by Attorney General.</p> <p>§ 3. State Superintendent of Public Instruction to send copies of lists to each school district.</p> <p>§ 4. Superintendent of Public Instruction to forfeit bond — district school boards to notify superintendent of violation of conditions of bond.</p> <p>§ 5. Use of influence forbidden.</p> <p>§ 6. School boards to adopt textbooks listed under this Act—not to be changed within five years.</p> | <p>§ 7. Retail dealers not to sell textbooks at an advance of more than 15 per cent list price.</p> <p>§ 8. School districts authorized to sell books at cost.</p> <p>§ 9. School districts authorized to appoint agents to sell textbooks at an advance of not more than 10 per cent list price.</p> <p>§ 10. Definition of word "person."</p> <p>§ 11. School board to purchase books of family removing from district.</p> <p>§ 12. Penalties.</p> <p>§ 13. Rights of cities over 100,000 to print their own textbooks not abridged.</p> <p>§ 14. Inconsistent Acts repealed.</p> |
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(SENATE BILL NO. 116. APPROVED JUNE 27, 1917.)

AN ACT to regulate the adoption, sale and distribution of school textbooks.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person shall offer any school textbook for adoption, sale or exchange in the State of Illinois until he shall have complied with the following conditions:

1. He shall file, within thirty days after this Act goes into effect copies of all textbooks and annually thereafter by the fifteenth day of July copies of all additional and different textbooks and copies of all supplementary and abridged and special editions of all textbooks sold by the company manufacturing such book, in the office of the State Superintendent of Public Instruction with a sworn statement of the usual list price, the lowest net wholesale price, and the lowest net exchange price at which said book is sold or exchanged for an old book on the same subject of like grade and kind but of a different series taken in part payment thereof.

2. He shall file with the State Superintendent of Public Instruction a bond running to the People of the State of Illinois with a responsible surety company authorized to do business in the State of Illinois as surety thereon, in a penal sum to be determined by the State Superintendent of Public Instruction, not less than two thousand dollars nor more than ten thousand dollars, conditioned as follows:

(a) That he will furnish for five years any of the books listed in the statement as outlined in section one of this Act and, for a like period, any of the additional and different books and any of the supplementary and abridged and special editions of all books listed in any annual statement subsequently filed by him within five years, to any school district and any school corporation [corporation] in the State of Illinois at the lowest net prices contained in said statements and that he will maintain said prices uniformly throughout the State;

(b) That he will reduce such net prices automatically in Illinois whenever reductions are made elsewhere in the United States, and that

he will file with the office of the State Superintendent of Public Instruction a sworn statement of such reductions made elsewhere, so that at no time shall any book so filed and listed by him be sold in the State of Illinois at higher net prices than is received for such book elsewhere in the United States.

(c) That all textbooks offered for sale, adoption or exchange in the State of Illinois shall be equal in quality to those deposited in the office of the State Superintendent of Public Instruction as regards paper, binding, print, illustrations, subject matter, and all other particulars that may affect the value of such textbooks;

(d) In case he shall prepare any supplementary or abridged or special editions of any of the books so listed by him and shall sell such editions elsewhere at a lower net wholesale price than the net wholesale price scheduled with the State Superintendent, he shall file copies of any and all such editions, together with the net prices therefor, as above stated, with the State Superintendent of Public Instruction;

(e) He shall not enter into any understanding, agreement or combination to control the prices or to restrict competition in the sale of school textbooks.

§ 2. Such bond shall be approved by the Attorney General and shall continue in force for the period of five years after its filing, at or before the expiration of which period a new bond shall be given, or the right to continue business within the State shall be forfeited.

§ 3. The State Superintendent of Public Instruction shall, within thirty days after the filing of any list and bond, send a copy of the list to the school authorities in each district in the State, and he shall annually publish and send to each school district in the State a copy of any additional lists then in force in his office.

§ 4. It shall be the duty of the board of education, or the board of directors, of each district of this State wherein the textbooks listed under the provisions of this Act have been adopted to notify the Superintendent of Public Instruction of any violation of any of the conditions contained in said bond. The Superintendent of Public Instruction shall thereupon notify the person guilty of such violation and if the person so notified shall disregard the notification and fail to comply with the requirements of the contract, then the Superintendent of Public Instruction shall institute legal proceedings for the forfeiture of the bond of said person.

§ 5. No person shall secure or attempt to secure the sale of any school textbook in any school district in this State by rewarding or promising to reward any teacher in any school in the State or by securing for him any position in any other school. No person shall offer or give any emolument, money or other valuable thing, promise of work or any other inducement to any teacher or school officer in any school district for any vote or promise of vote or for use of his influence for any school textbook to be used in this State.

Provided: That nothing in this section shall be construed to prevent any person from submitting, or any school officer or teacher from receiving a reasonable number of copies of school textbooks for examina-

tion with a view of obtaining information as to the book or series of books for which such officer shall give his vote.

§ 6. Boards of education or boards of school directors are empowered, and it shall be their duty to adopt such textbooks listed under the provisions of this Act, needful for use in said schools, and, thereupon, shall make a record thereof in its proceedings and within thirty days thereafter shall file a copy of such record in the office of the State Superintendent of Public Instruction and textbooks once adopted by any board under the provisions of this Act shall not be changed within five years and said books shall be used exclusively in all public high schools and elementary schools of the State for which they have been adopted, except that supplementary or abridged or special editions of such books may be used when necessary.

§ 7. It shall be unlawful for any retail dealer in textbooks to sell any books listed with the State Superintendent of Public Instruction as hereinbefore provided at a price to exceed fifteen per cent advance on the net prices as so listed. Any dealer violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars and not more than one hundred dollars.

§ 8. School district are hereby authorized to purchase textbooks from the publishers at the prices listed with the State Superintendent of Public Instruction as hereinbefore provided and to sell said books to the pupils at said listed prices or at such prices as will include the cost [of] transportation and the cost of handling.

§ 9. School districts are hereby authorized to purchase out of the contingent funds of the district, school textbooks from the publishers at the prices listed with the State Superintendent of Public Instruction as hereinbefore provided and to designate a retail dealer or dealers to act as the agent of the district in selling textbooks to pupils. The said dealer or dealers shall at stated times make settlement with the district for such books as have been sold up to the stated time. Said dealer or dealers shall not sell textbooks at prices which shall exceed a ten per cent advance on the net prices as listed with the State Superintendent of Public Instruction. Any dealer violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars and not more than one hundred dollars.

§ 10. The word "person" as used in this Act shall include firms, associations and corporations.

§ 11. When a family removes from one school district to another within the State, the clerk of the district may purchase, out of the contingent fund, the textbooks in actual use by the children of the family at a fair price, based on the condition of the book; the said books to be resold, when necessary, to other pupils moving into said district.

§ 12. Any person violating any of the provisions of this Act, except as provided in section 7 and section 9, shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding three months, or by both such fine and imprisonment at the discretion of the court.

§ 13. The provisions of this Act shall not prohibit or abridge the right of any school district, comprised of a city having a population exceeding one hundred thousand inhabitants, to print, publish, distribute or sell its own textbooks.

§ 14. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

APPROVED June 27, 1917.

TOWNSHIP HIGH SCHOOLS—ELECTIONS LEGALIZED.

§ 1. Elections legalized.

(SENATE BILL NO. 428. APPROVED JUNE 22, 1917.)

AN ACT to legalize certain elections held under and by virtue of an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all elections for the purpose of organizing high school districts held since June 12, 1909, under and by virtue of an Act entitled: "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, pursuant to election notices which failed to state the exact location of the voting or polling places, are hereby declared and made legal, valid and binding. All high school districts organized pursuant to such elections, if otherwise legally organized, are hereby declared to be legally organized. All officers elected pursuant to such elections, if otherwise legally elected, are hereby declared to be duly and legally elected, and all proceedings and acts had in pursuance of such elections, if otherwise legally had and performed, are hereby declared and made legal, valid, binding and of full force and effect.

APPROVED June 22, 1917.

UNIVERSITY SCHOLARSHIPS.

§ 1. Amends section 173, Act of 1909. ~§ 2. Emergency.

§ 173. As amended, provides that candidates for scholarships nominated by members of the General Assembly, if graduates of accredited schools, shall be admitted on the same conditions as other students from accredited schools without examinations—when nominations made.

(HOUSE BILL NO. 78. APPROVED JUNE 11, 1917.)

AN ACT to amend section 173 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12th, 1909, and as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 173 of an Act entitled, "An Act to establish and maintain a system of free schools," approved

and in force June 12th[,] 1909, and as subsequently amended, be and the same is hereby amended so as to read as follows:

§ 173. In addition to the scholarships provided for in section 171 each member of the General Assembly is authorized to nominate and appoint annually, one person of school age and otherwise eligible, from his district, who shall by virtue of his appointment receive a certificate of scholarship in the University. Each member of the General Assembly shall file with the president of the University on or before the first Saturday in June, the name and address of the student nominated by him to receive such scholarship. The candidate for such scholarship so nominated, if a graduate of a school accredited by the University, shall be admitted to the University on the same conditions as to educational qualifications as are graduates of such accredited schools not so appointed to scholarships, and if any such candidate is not a graduate of a school accredited by the University, he shall present himself or herself for examination before the county superintendent of the county where such student resides, at the time stated in section 171 for the competitive examination. The president of the University shall prescribe the rules and regulations governing such examination: *Provided, however,* that in case the person named, not being a graduate of a school accredited by the University, fails to pass the required examination for admission, the president of the University shall at once notify the member making the appointment, who may name another person for such scholarship: *And, provided further,* that no nomination shall be made later than the first day of the fall registration. *And, provided, further,* that, if the member of the General Assembly shall so elect, the scholarship under his control may be awarded by competitive examination conducted under like rules as prescribed in section 171 of this Act, even though one or more of the applicants for said scholarship be graduates of schools accredited by the University.

§ 2. WHEREAS, the nominations for scholarships to the University by the members of the General Assembly for the next school year must be made prior to July 1st[,] 1917, therefore an emergency exists and this Act shall take effect from and after its passage and approval.

APPROVED June 11, 1917.

WARRANTS IN ANTICIPATION OF TAXES.

§ 1. Amends section 117, Act of 1909.

§ 117. School directors may issue warrants in anticipation of taxes—rate of interest—notice.

(HOUSE BILL NO. 656. APPROVED JUNE 28, 1917.)

AN ACT to amend section one hundred seventeen (117) of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one hundred seventeen (117) of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as subsequently amended, be amended so that said section shall read as follows:

§ 117. When there is no money in the treasury of any school district of this State whether governed by either or both the General School Law or any special charter to defray the necessary expenses of the district, the directors, board of education or board of school inspectors, as the case may be, may issue warrants against and in anticipation of any taxes levied for the payment of the necessary expenses of the district, either for educational or for building purposes, as the case may be, to the extent of seventy-five per cent of the total amount of the tax so levied. Such warrants shall show upon their face that they are payable solely from such taxes when collected, and shall be received by any collector of taxes in payment of the taxes against which they are issued, and such taxes shall be set apart and held for their payment.

Every warrant issued under the provisions of this section shall bear interest payable only out of the taxes against which it is drawn, at the rate of five per cent (5%) per annum, from the date of its issuance until paid or until notice shall be given by publication in a newspaper or otherwise that the money for its payment is available and that it will be paid on presentation, unless a lower rate of interest shall be specified therein, in which case the interest shall be computed and paid at said lower rate.

APPROVED June 28, 1917.

STATE BOARD OF HEALTH.

STATE BOARD OF HEALTH—REGISTRATION OF BIRTHS AND DEATHS.

§ 1. Amends section 18, Act of 1915.

§ 18. Duties of local registrars.

(HOUSE BILL NO. 361. FILED JUNE 28, 1917.)

AN ACT to amend section 18 of an Act entitled, "An Act to provide for the registration of all births, stillbirths, and deaths in the State of Illinois, and to repeal an Act entitled, 'An Act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named,'" approved May 6, 1903, in force July 1, 1903, as amended by an Act approved June 22, 1915, in force July 1, 1915.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 18 of an Act entitled, "An Act to provide for the registration of all births, stillbirths, and deaths in the State of Illinois and to repeal an Act entitled, 'An Act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named,'" approved May 6, 1903, in force July 1, 1903, as amended by an Act approved June 22, 1915, in force July 1, 1915, be and the same is hereby amended to read as follows:

§ 18. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar or sub-registrars shall carefully examine each certificate of

birth, stillbirth or death when presented for record, to see that it has been made out in accordance with the provisions of this Act and the instructions of the State Board of Health, and if any certificate of death or stillbirth is incomplete or unsatisfactory, it shall be the duty of the local registrar to call attention to the defects in the return and at his discretion he may withhold issuing the burial or removal permit until such defects are corrected. If the certificate of death or stillbirth is properly executed and is complete, as far as is practicable, he shall then issue a burial or removal permit to the undertaker: *Provided*, that in case the death occurred from any disease that is communicable and dangerous to the public health, the permit for the removal or other disposition of the body shall be granted by the local or sub-registrar, under such rules as may be prescribed by the State Board of Health, or under local rules or ordinances not in conflict with the rules of the State Board of Health. If a certificate of birth is incomplete, the local registrar shall immediately notify the person making such report and require him or her to supply the missing items if they can be obtained. The local registrar shall number consecutively the certificates of births, stillbirths and deaths in three separate series, beginning with No. 1 for the first birth, stillbirth or death in each calendar year, and sign his name as local registrar in the attest of the date of filing in this office. He shall also make a complete and accurate copy or copies of each birth, stillbirth and death certificate registered by him on blank certificates of births, stillbirths and deaths, or in a record book of approved form prescribed by the State Board of Health. Local registrars shall deposit with the county clerks of their respective counties on the tenth day of each month, one complete set of the records, births, stillbirths and deaths registered with them during the preceding months, and the county clerks are charged with the binding and indexing, or recording, and safe keeping of such records. *Provided, however*, that the local registrar shall obtain the given name of the child before reporting a birth to the county clerk. Each local registrar shall, on the tenth day of each month, transmit to the State Board of Health all original certificates registered by him, including those received from his sub-registrars, during the preceding month. *Provided*, that any city, incorporated town or village which is a registration district for the purposes of this Act, may cause to be made extra copies of any or all birth, stillbirth and death certificates filed with the local registrar, such extra copies to be in addition to those copies which are required to be made for and turned over to the county clerk, as provided for in this Act, and such extra copies may be retained by any city, incorporated town or village as its permanent record.

If no birth, stillbirth or death occurred in any month, the local registrar shall on the tenth day of the following month, report that fact to the State Board of Health and the county clerk, on a card provided for that purpose.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.
Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

REGULATION OF EMBALMING AND DISPOSAL OF DEAD BODIES.

§ 1. Amends sections 1 and 2, Act of 1905.

§ 2. Examinations — notice, etc.

§ 1. License to embalm—fee—examination.

(HOUSE BILL NO. 806. APPROVED JUNE 26, 1917.)

AN ACT to amend sections 1 and 2 of an Act entitled, "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, as amended, and to add thereto three new sections to be known as sections 1a, 1b and 1c.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 2 of an Act entitled, "An Act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, as amended, be amended, and that there be added to said Act three new sections to be known as sections 1a, 1b and 1c, which said sections as amended and which new sections shall read as follows:

§ 1. That no person shall embalm, or prepare for transportation, any body dead of a contagious or infectious disease, or embalm any dead body, or hold himself out as practicing the art of embalming without a license.

No person shall hereafter be licensed to practice the art of embalming unless he shall pass a satisfactory examination conducted by the Department of Registration and Education pursuant to the provisions of an Act entitled, "An Act in relation to the civil administration of the State Government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917.

Each applicant for examination shall:

1. Make application for examination on blank forms prepared and furnished by the Department of Registration and Education;

2. Pay in advance to the Department of Registration and Education an examination fee of five dollars;

3. Make proof that he is of good moral character, and that he has attained the age of twenty-one years;

4. Make proof of preliminary education, training and experience required by this Act.

§ 2. The Department of Registration and Education shall hold examinations for embalmers at least twice yearly. Notices of such examinations shall be published at least twice in at least one journal devoted to the interests of embalming, two daily newspapers, and one medical journal published in the State of Illinois. The Department of Registration and Education shall notify each applicant to appear for examination at the time and place specified in the notice.

§ 1a. From and after January 1, 1918, each applicant for examination must be a graduate of a school of embalming which is deemed to be

reputable and in good standing and which requires as a prerequisite to graduation a course of study extending over at least six months, and in addition thereto, a practical experience of at least one year with an undertaker holding an embalmer's license."

§ 1b. From and after January 1, 1918, each school of embalming, in order to be deemed reputable and in good standing, shall require of each student as a condition precedent to graduation from such school that he have an education equivalent to the completion of the eighth grade of an approved graded public school.

Proof of preliminary education may be made as follows:

(1) By the certificate of the superintendent or principal of a graded public school or other equivalent school of the applicant having completed therein a course of study equivalent to the completion of the eighth grade of an approved graded public school, or,

(2) By the certificate of the Superintendent of Public Instruction in this State, or of a like state officer of another state or country, that the applicant has satisfactorily passed, before such superintendent or other like state officer of another state or country, an examination in studies equivalent to the studies pursued in the first eight grades of an approved graded public school.

The Superintendent of Public Instruction of this State shall collect in advance a fee of five dollars from each applicant.

§ 1c. The Department of Registration and Education shall have power and it shall be its duty:

(1) To make rules to establish a uniform and reasonable standard of educational requirements to be observed by schools of embalming, and to determine the reputability and good standing of such schools of embalming by reference to their compliance with such rules;

(2) To require satisfactory proof that schools of embalming, which are deemed to be reputable and in good standing, enforce the standard of preliminary education deemed by this Act requisite to admission to such school of embalming;

(3) To determine the standing of graded public schools or equivalent schools for the purpose of this Act.

APPROVED June 26, 1917.

PUBLIC HEALTH DISTRICTS.

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| <p>§ 1. Territory to be comprised in districts.</p> <p>§ 2. Petition of voters of single town or road district to be filed with town or road district clerk.</p> <p>§ 3. Petition of voters of two or more adjacent town or road districts to be filed with county clerk.</p> <p>§ 4. Town or road district clerk to give notice of election.</p> <p>§ 5. County clerk to give notice of election.</p> <p>§ 6. Proposition to be submitted in same manner as constitutional amendments.</p> <p>§ 7. Majority of those voting to determine issue.</p> <p>§ 8. Canvass of returns on proposition submitted to single town or road district.</p> <p>§ 9. Canvass of returns by county clerk.</p> <p>§ 10. Result of vote to be recorded.</p> | <p>§ 11. County commissioners, township officers, and road district clerks to constitute boards of health.</p> <p>§ 12. Boards of health to organize within two weeks after declaration of result of election.</p> <p>§ 13. Suitable name for each public health district to be chosen—organization complete upon filing of name.</p> <p>§ 14. Courts to take judicial notice of public health districts.</p> <p>§ 15. Powers and duties of boards of health.</p> <p>§ 16. State Department of Public Health to select by competitive examination persons eligible to appoint as public health officers.</p> <p>§ 17. Powers and duties of public health officers.</p> <p>§ 18. Ordinances to be administered by public health officers.</p> <p>§ 19. Each board of health empowered to issue tax warrants.</p> <p>§ 20. Certification and collection of taxes.</p> |
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(SENATE BILL NO. 370. FILED JUNE 26, 1917.)

AN ACT to authorize the organization of public health districts and for the establishment and maintenance of a health department for the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Any town, or two or more adjacent towns in counties under township organization, or any road district, or two or more road districts in counties not under township organization, or any town or towns in a county under township organization and an adjacent road district or road districts in a county not under township organization, may be organized into a public health district.

§ 2. Upon a petition containing the signatures of legal voters in number not less than five per cent of the total vote cast in any town or road district, and filed with the town or road district clerk at least thirty days before the regular town or road district election, the proposition of erecting such town or road district into a public health district shall be submitted to a vote of the people at the next regular town or road district election in the manner provided by this Act.

§ 3. Upon a petition requesting that two or more adjacent towns or road districts be erected into a health district and containing the signatures of legal voters in number not less than five per cent of the total vote cast in each of two or more adjacent towns or road districts, and filed with the county clerk at least thirty days before the regular town or road district election, the proposition of erecting such towns or road districts, or town and road district, into a public health district shall be submitted to a vote of the people of such towns or road districts at the

next regular town or road district election in the manner provided by this Act.

Where the towns or road districts desiring to be erected into a health district are in two or more counties, the petition shall be filed with the county clerk of the county in which the greater population of the proposed health district is located.

§ 4. Upon the filing of such petition with the town or road district clerk, the town or road district clerk shall, when giving notice of the holding of the next regular town or district election, also give notice that a vote will be taken at the regular town or district election for or against the proposition of the erection of the town or road district into a public health district[.]

§ 5. Upon the filing of such petition with the county clerk, such county clerk shall, at least twenty days prior to the regular town or district election, certify to the town or district clerk of each town or road district, petitions for which are on file in his office requesting that such towns or road districts be erected into a public health district, that the proposition of erecting such towns or road districts (naming them) will be submitted to a vote of the people of the towns or road districts at the regular town or road district election. The town or district clerk shall, when giving notice of the holding of the next regular town or district election, also give notice that a vote will be taken at the town or district election for or against the erection of the towns or road districts (naming them) into a public health district.

§ 6. The proposition shall be voted upon in the same manner as a constitutional amendment or other public measure.

When the proposition to be voted upon is to erect a town or road district into a public health district, the proposition may be substantially in the following form:

Shall this.....(town or road district)	YES	
be erected into a public health district?	NO	

When the proposition to be voted upon is to erect two or more adjacent towns or road districts into a public health district, the proposition may be substantially in the following form:

Shall this.....(town or road district)	YES	
unite with the.....(town or road district)		
of.....to form a public health district?	NO	

§ 7. When the proposition voted upon is to erect a single town or road district into a public health district, such proposition shall be carried if a majority of those voting upon the proposition shall vote "yes."

When the proposition voted upon is to erect two or more adjacent towns or road districts into a health district, such proposition shall be carried if the majority of those voting upon the proposition in each town or road district shall vote "yes."

§ 8. When the proposition is submitted to the voters of a single town or road district, the ballots shall be counted, the returns canvassed and the result declared as in the case of a regular town or district election.

§ 9. When the proposition is submitted to the voters of two or more adjacent towns or road districts, the ballots shall be counted and the returns made to the county clerk of the county wherein the petition was filed as in the case of returns to the county clerk at a general election. The returns shall be opened and canvassed by the county clerk, with the assistance of two justices of the peace of the county, and the result declared.

§ 10. The town or district clerk, or the county clerk, as the case may be, shall record the result of the vote upon the proposition and such result may be proved in all courts and in all proceedings by such record or by a certified copy thereof.

§ 11. In counties not under township organization the county commissioners shall be the board of health for each public health district in the county.

Where a public health district, in counties under township organization, consists of a single town, the supervisor, assessor and town clerk of such town shall be the board of health for such public health district.

Where a public health district consists of two or more adjacent towns, the supervisors of such towns, together with the chairman of the county board, shall be the board of health for such public health district.

Where a public health district consists of a town or towns in a county under township organization united with a road district or road districts in a county not under township organization, the supervisor or supervisors of the town or towns, together with the road district clerk or road district clerks, shall be the board of health for such public health district.

A majority of the board shall constitute a quorum for the transaction of business.

§ 12. The board of health shall meet in some convenient place in the public health district within two weeks after the declaration of the results of the election, and shall elect from their own number a chairman and a secretary, and, either from their own number or otherwise, a treasurer.

§ 13. The board of health shall, at its first meeting, select a suitable name for the public health district and file the same with the county clerk, or county clerks, of the county or counties in which the district is located, and thenceforth the public health district shall be a body corporate and shall be known by that name. Upon the filing of such name with the county clerk, or county clerks, the public health district shall be deemed to be completely organized.

§ 14. All courts shall take judicial notice of all public health districts organized under this Act.

§ 15. Each board of health shall have power and it shall be its duty:

1. To hold an annual meeting on the second Tuesday in April of each year, at which meeting officers shall be elected for the ensuing year;

2. To hold meetings quarterly on the second Tuesday of January, April, July and October;

3. To hold special meetings upon a written request signed by two members and filed with the secretary;

4. To levy, annually, in addition to all other taxes which are now or hereafter may be authorized to be levied on the aggregate valuation of all property within the public health district, a special "public health tax," not to exceed four mills on the dollar on all taxable property embraced within such public health district, according to the valuation of the same as made for the purpose of State and county taxation, to form, when collected, a fund to be known as the "public health fund;"

5. To appoint a public health officer from a list of eligibles supplied by the State Department of Public Health;

6. To appoint, upon the advice and approval of the public health officer, such nurses, chemists, experts, clerks and assistants as the public health officer may deem necessary;

7. To fix the compensation of the public health officer, which shall in no case be less than one thousand five hundred dollars;

8. To provide, equip and maintain suitable offices, facilities and appliances for the health officer and his assistants;

9. To establish, equip and maintain an analytical, biological and research laboratory;

10. To pay, from the "public health fund," the salary of the public health officer and the salaries of all appointees and employees and the expense of maintenance of the public health department, including therein the expense of administering the sanitation and health laws and ordinances;

11. To acquire and hold, in the name of the public health district, real estate and personal property;

12. To receive contributions of money or property;

13. To publish, annually, on or soon after the second Tuesday in April, in pamphlet form, for free distribution, an annual report showing the condition of their trust on the first day of April of that year, the sums of money received from taxation and from other sources, giving the name of the donor, how all moneys have been expended and for what purpose, and such other statistics and information in regard to the work of the health department as they may deem of general interest.

§ 16. It shall be the duty of the State Department of Public Health to prepare, by open, competitive examination, of which notice shall be given in the "official newspaper," selected by the Department of Public Works and Buildings, for at least three weeks prior to the holding of such examination, a list of eligibles for appointment as public health officers.

§ 17. The public health officer shall have power, and it shall be his duty:

1. To be the executive officer of the board of health;

2. To enforce and observe the rules, regulations and orders of the State Department of Public Health and all State laws pertaining to the preservation of the health of the people within the public health district;

3. To exercise the rights, powers and duties of all township boards of health and county boards of health within the public health district;

4. To execute and enforce, within the public health district, all city, village and incorporated town ordinances relating to nuisances, public health and sanitation;

5. To investigate the existence of any contagious or infectious disease within the public health district and to adopt measures, with the approval of the State Department of Public Health, to arrest the progress of the same;

6. To make all necessary sanitary and health investigations and inspections within the public health district;

7. To establish a free dental clinic for the benefit of the school children of the district;

8. To give professional advice and information to all city, village, incorporated town and school authorities within the public health district in all matters pertaining to sanitation and public health;

9. To devote his entire time to his official duties.

§ 18. In all public health districts all ordinances of cities, villages and incorporated towns lying within such public health district, relating to nuisances, sanitation, and public health, shall be administered by the public health officer appointed pursuant to this Act, and not otherwise.

§ 19. Each board of health, organized under this Act, shall be empowered to issue warrants in anticipation of taxes to the same extent, in the same manner and with like limitations and restrictions as county, city, village and incorporated town authorities.

§ 20. Each board of health shall, annually, on or before the first day of August of each year, transmit to the county clerk in which such public health district is located, or if the public health district is located in more than one county, then to the county clerk of each county in which a part thereof is located, a certificate signed by the chairman and treasurer, setting forth the rate or percentage of such taxes by them levied for the purposes herein provided and it shall be, and is hereby made the duty of the county clerk to whom such certificate shall be transmitted, to set down in the general tax warrant of the year for the collection of the State and county taxes, in a separate column to be styled a "public health tax," a tax in amount equal to the sum resulting from the rate or percentage so certified by such board of health upon the real and personal property within such health district, or such part thereof as may be located in his county, according to the valuation of the same as made for the purpose of State and county taxation; and shall set down in each column the amount of tax chargeable to the several persons, corporations, lots or parcels of land, liable for taxes in such public health district according to such rate or percentage, and the collector shall proceed to collect the same in such manner as is now, or may hereafter be provided by law for the collection of State and county taxes; and the provisions of law in respect to collection of State and

county taxes, and proceedings to enforce the same, which are now enforced, or which may be hereafter enacted, so far as applicable, shall apply to such taxes; and as fast as such tax shall be collected by the collector or other officer receiving the same, it shall be paid over to such board of health, on the joint order of the chairman and treasurer of the board of health and shall be receipted for by such treasurer. The funds shall be used only for the purposes herein prescribed and shall be disbursed by the treasurer on the joint order of the chairman and secretary. A failure by the board of health to file the certificate with the county clerk in the required time shall not vitiate the assessment.

FILED June 26, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-sixth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

STATE FOOD COMMISSIONER.

MILK AND CREAM TEST.

§ 1. Amends section 21, Act of 1907.

§ 21. Test of milk and cream.

(HOUSE BILL NO. 996. APPROVED JUNE 25, 1917.)

AN ACT to amend an Act entitled, "*An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith,*" approved May 14, 1907, in force July 1, 1907, as subsequently amended by amending section twenty-one (21) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "*An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors, or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith,*" approved May 14, 1907, in force July 1, 1907, as subsequently amended, be amended by amending section twenty-one (21) thereof, so that the said section twenty-one (21) when amended shall read as follows:

§ 21. A buyer of milk or cream buying of the producer on a butter-fat basis, shall, in the presence of the producer or his agent, after having been petitioned in writing by one or more of its patrons so to do, take a fair sample of the producer's milk, of not less than two (2) ounces, and immediately deliver the same to the producer or his agent in a sealed receptacle to be furnished by the Department of Agriculture suitable for mailing or expressing. The receptacle shall be plainly marked

with the producer's factory number and the name of the producer, and may be mailed or expressed by the producer or his agent to the Department of Agriculture for test.

The Department [Department] of Agriculture shall receive and make prompt analysis of all such samples of milk or cream, wash and sterilize the containers, and return to the plant or person from whom received, the producer to pay the transportation charges.

The Department of Agriculture shall, not later than the fifth day of each month, mail to the buyer a tabulated sheet, showing the result of each individual producer's test, for the preceding month, the average of which shall be the basis of settlement between the buyer and individual producer.

The Department of Agriculture shall, not later than the eighth day of each month, mail to the individual producer at his post office address, the result of each of his tests for the preceding month.

Samples of milk or cream, for the purpose of this Act, shall be taken out less than two (2) or more than four (4) times during each monthly period at the option of the buyer.

It shall be unlawful for the owner, manager, agent or any employee of a creamery or cheese factory, to manipulate, underread or overread the Babcock test, or any other contrivance used for determining the quality or value of milk or cream, or to falsify the record thereof, or to pay for such milk or cream on the basis of any measurement except the true measurement as thereby determined.

APPROVED June 25, 1917.

REGULATING SALE OF PAINTS, OILS AND OTHER COMPOUNDS.

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| § 1. Paint offered for sale must be labeled. | § 9. Failure to label or making misleading statement. |
| § 2. Term "paint" defined. | § 10. Oil of turpentine—standard specifications. |
| § 3. Labels—what to contain—when paint deemed misbranded. | § 11. Sold under true name—how containers marked. |
| § 4. Raw linseed oil—standard requirements. | § 12. Sale of compounds or substitutes for turpentine. |
| § 5. United States pharmacopoeia. | § 13. Failure to label or making misleading statements. |
| § 6. Boiled linseed oil—standard requirements. | § 14. Department of Agriculture to enforce Act. |
| § 7. Must be sold under true name—how containers marked. | § 15. Penalty. |
| § 8. Sale of compounds or substitutes. | |

(SENATE BILL NO. 340. APPROVED JUNE 21, 1917.)

AN ACT to regulate the sale of paints, oils and other articles or compounds used in connection therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person, firm or corporation who shall expose for sale, or sell, within this State, any white lead or paint, shall accurately label the same as hereinafter required.

§ 2. The term "paint," as used in this Act, shall include white lead in oil or any compound intended for the same use, paste or semi-paste, and liquid or mixed paint of any kind ready for use, or any compound intended for the same use.

§ 3. Labels required by this Act shall clearly and distinctly state the name and address of the manufacturer of the article, or the dealer therein, or of the party for whom the same is manufactured, and for the purposes of this Act paint shall be deemed to be improperly labeled or misbranded: (1) If it be an imitation of, and offered for sale under the name of another article; or (2) if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package; or (3) if any label on the package containing it shall bear any statement, design or device regarding the ingredients or composition of the paint which statement, design or device shall be false or misleading in any respect. The label shall also state, in case of liquid paints, and other compounds, on packages holding one quart or more, the net measure of contents of each can, package or container. In case of white lead and other paints and compounds, the label shall show on packages weighing four pounds or more the net weight of each can, package or container.

§ 4. No person, firm or corporation shall expose for sale, sell or take orders for sale and delivery within this State, any "raw linseed oil," unless the same is wholly obtained from the seeds of the flax plant (*linum usitatissimum*), and unless the same fulfills all the requirements recognized by the United States Pharmacopoeia.

§ 5. The term "United States Pharmacopoeia" as used in this Act, shall refer to the latest revision of the United States Pharmacopoeia, official at the time of the sale in question.

§ 6. No person, firm or corporation shall expose for sale, sell or take orders for sale and delivery within this State any "boiled linseed oil" or so-called "boiled oil" unless the same has been prepared from pure raw linseed oil and lead and manganese driers: And for the purpose of this Act, it shall also be deemed a violation hereof if boiled linseed oil does not conform to the following requirements:

First. Its specific gravity at 25 degrees Centigrade as compared with water at 25 degrees Centigrade must be not less than 0.933 and not greater than 0.945.

Second. Its saponification number must be not less than 186 nor greater than 195.

Third. Its iodine absorption number (Hanus method) shall not be less than 168.

Fourth. Its acid number must not be greater than 8.

Fifth. It must yield on analysis not more than one and one-half (1.5) per cent of unsaponifiable matter.

Sixth. It must yield on analysis not less than two-tenths (0.2) of one per cent, nor more than seven-tenths (0.7) of one per cent of ash.

Seventh. It must yield an analysis not less than one-tenth (0.1) of one per cent of lead.

Eighth. It must yield on analysis not less than three-hundredths (0.03) of one per cent of manganese.

Ninth. It must yield on analysis not more than three-tenths (0.3) of one per cent of calcium.

§ 7. No person, firm or corporation shall expose for sale or sell any flaxseed or linseed oil unless it is exposed for sale or sold under its true name, and each original unbroken tank car, tank, barrel, keg or vessel containing such oil has distinctly and durably marked thereon the true name of such oil, and the name and place of business of the manufacturer thereof, in ordinary bold-faced capital letters not less than five lines pica in size, the words "Pure Linseed Oil—Raw," "Pure Linseed Oil—Boiled," as the case may be.

§ 8. No person, firm or corporation shall expose for sale, sell or take orders for sale and delivery within this State, any compound or mixture of linseed oil (raw or boiled) with other products, except as provided in section six (6) of this Act, or any product which is intended to be used as a substitute for linseed oil (raw or boiled), unless it is exposed for sale or sold under the name, "Substitute for linseed oil," and, if the words "linseed" or "flaxseed" are used other than in the name, the true name of each and every ingredient of said product shall also appear, giving preference of order to the ingredients present in the greater proportion, but all letters used in naming the ingredients shall be of the same size and color, using the style of type as hereinafter specified. Each tank car, tank, barrel, keg, can, jug or vessel (both wholesale and retail), also all storage receptacles containing said product, shall be distinctly and durably marked in a conspicuous place, using the English language and kind of type as hereinafter specified, giving the name under which it is sold, the names of ingredients when required, and the name and place of business of the manufacturer thereof, in continuous list, with no intervening matter.

§ 9. Any failure to label said article as above specified or any erasures, defacements or carelessness in printing or stamping labels or any statement regarding the composition of said article or any statements of any kind which are misleading, deceptive or which are not true are hereby declared a violation of this Act.

§ 10. No person, firm or corporation shall expose for sale, sell or take orders for sale and delivery within this State any "oil of turpentine" or so-called "spirits of turpentine" "turpentine" or "turps," unless the same is wholly the volatile oil derived from the oleo-resinous exudation from, or the resinous wood of various species of coniferous trees. And for the purpose of this Act, it shall also be deemed a violation hereof if oil of turpentine does not conform to the standard specifications for turpentine as appearing in the latest biennial issue of the "A. S. T. M. Standards" issued by the American Society for testing materials.

§ 11. No person, firm or corporation shall expose for sale or sell any oil of turpentine unless it is exposed for sale or sold under its true name, and each original unbroken tank car, tank, barrel, keg or vessel containing such oil has distinctly and durably marked thereon the true

name of such oil, and the name and place of business of the manufacturer thereof, in ordinary bold-faced capital letters not less than five lines pica in size.

§ 12. No person, firm or corporation shall expose for sale, sell, or take orders for sale and delivery within this State, any compound or mixture of oil of turpentine with other products, or any product which is intended to be used as a substitute for oil of turpentine unless it is exposed for sale and sold under the name, "Substitute for oil of turpentine," and, if the word, "turpentine" is used other than in the name, the true name of each and every ingredient of said product shall also appear, giving preference of order to the ingredients present in the greater proportion, but all letters used in naming the ingredients shall be of the same size and color, using the style of type as hereinafter specified. Each tank car, tank, barrel, keg, can, jug or vessel (both wholesale and retail), also all storage receptacles containing said product, shall be distinctly and durably marked in a conspicuous place, using the English language and kind of type as hereinafter specified, giving the name under which it is sold, the names of ingredients when required and the name and place of business of the manufacturer or jobber thereof, in continuous list, with no intervening matter of any kind, using ordinary bold-faced capital letters not less than five lines pica in size and there shall be such a contrast between the color of the type and the background of the label as to render the same easily and plainly legible.

§ 13. Any failure to label said article as above specified or any erasures, defacements or carelessness in printing or stamping labels or any statement regarding the composition of said article or any statements of any kind which are misleading or deceptive or which are not true are hereby declared a violation of this Act.

§ 14. It is hereby made the duty of the Department of Agriculture to enforce the provisions of this Act. The inspectors, assistants and chemists appointed by the Department of Agriculture shall perform the same duties and have the same authority under this Act as are prescribed by an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, in force July 1, 1907, as amended.

§ 15. Whoever shall violate any of the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not exceeding one hundred dollars (\$100.00).

APPROVED June 21, 1917.

REGULATION OF MANUFACTURE AND SALE OF DAIRY PRODUCTS.

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| § 1. Manner of registration of trade-mark. | § 5. Unlawful for any person, other than rightful owner, to deface, remove or destroy. |
| § 2. What the stamp mark or name may contain. | § 6. Penalty. |
| § 3. Unlawful to use brand, stamp or mark already selected. | § 7. Enforced by Food and Dairy Commissioner. |
| § 4. Unlawful for any person, other than rightful owner, to use. | |

(HOUSE BILL NO. 810. APPROVED JUNE 25, 1917.)

AN ACT to protect the public and the manufacturers of dairy products from frauds and imitations and to prevent the public from being deceived in the use of adulterated foods by providing for marking, stamping and branding of cans or other containers for the handling and transportation of dairy products; for the registration of such mark or brand and prohibiting the use of such marked can, bottle or other container for any other than the designated purpose; and for preventing the use of any such brand or mark of another; and from defacing or removing the same; and providing penalties for violation thereof; and making it the duty of the Food and Dairy Commissioner to enforce the law.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in order to protect the public against frauds and imitations in the sale of dairy products, and prevent the public from being deceived in the purchase and use of adulterated foods and to protect the manufacturers from being wrongfully charged with the manufacture, storage, transportation or sale of impure or adulterated foods, any person, firm or corporation engaged in the manufacture or transportation of any dairy products, including milk, cream and ice cream may adopt a suitable mark, stamp or brand for use upon any can, bottle or other container used in the handling and transporting any of said products and may file in the office of the Secretary of State a description of such mark, stamp or brand so desired to be used.

§ 2. Such brand, stamp or mark may consist of a name, design or device, either in color, enamel or otherwise and shall be registered by the Secretary of State, provided, it can be suitably distinguished from any other mark, stamp or brand theretofore registered; and such registered mark, stamp or brand may be affixed in any suitable and permanent manner to the can, bottle or other container, but nothing in this Act shall be construed as permitting the registration or use by any person, firm or corporation, of any brand, stamp, mark, name, design or device which, but for this Act, such person, firm or corporation would not be entitled to use.

§ 3. It shall be unlawful for any person, firm or corporation to use any brand, stamp or mark which has already been selected and registered under the provisions of this Act upon any can, bottle or other container for any commodity.

§ 4. It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof, to use any can, bottle or other container marked, stamped or branded as herein provided.

§ 5. It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof, to deface, remove or injure any such brand, stamp or mark upon any such can, bottle or other container referred to herein.

§ 6. Any person, firm or corporation who shall violate any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be fined for each such offense by a fine not less than five (\$5.00) dollars, nor more than one hundred (\$100.00) dollars, or by imprisonment in the county jail not to exceed thirty (30) days.

§ 7. It is hereby made the duty of the Food and Dairy Commissioner to enforce all of the provisions of this Act.

APPROVED June 25, 1917.

STATE FOOD COMMISSIONER.

§ 1. Amends section 9, Act of 1907.

§ 9. Misbranded defined.

§ 2. Amended, by adding section 39a1.

§ 39a. 1. Eggs—shipment of "breaking stock"—egg breaking establishment license—fee.

§ 3. Section 39b of Act as amended repealed.

(SENATE BILL NO. 517. APPROVED JUNE 26, 1917.)

AN ACT, to amend an Act, entitled "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict therewith," approved May 14, 1907 and in force July 1, 1907, as amended by subsequent Act, by amending section 9 of said Act as heretofore amended and by adding thereto thereto a new section to be known as section 39a1; and to repeal section 39b of said Act as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section nine (9) of an Act entitled "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907 and in force July 1, 1907, as amended by subsequent Acts, be and the same is hereby amended to read as follows:*

§ 9. MISBRANDED DEFINED.] The term "misbranded," as used herein, shall apply to all articles of food or drink, or articles which enter into the composition of food or drink, the packages or labels of which bear any statement, design or device regarding such article, or the ingredients or substance contained therein which shall be false or misleading in any particular; and to any such products which are falsely

branded as to manufacture, packer or dealer who sells the same or as to the state, territory or country in which it is manufactured or produced. That for the purpose of this Act an article shall also be deemed to be misbranded—

In case of food:

First—If it be an imitation of or offered for sale under the distinctive name of another article, or if it does not conform to the standards set forth in this Act.

Second—If it be so labeled or branded as to make the identity of the manufacturer, packer or dealer who sells or offers the same for sale uncertain or doubtful; or which is so labeled or branded as to indicate on the receptacle, vessel or container the name of any firm or corporation other than the firm or corporation actually manufacturing, packing or dealing in the article or product so sold or offered for sale; or if it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so, or if the contents of a package as originally put up shall have been removed in whole or in part and refilled by contents of a different quality or of a different manufacturer, packer or dealer, or if it shall fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid or any derivative or preparation of any such substance contained therein.

Third—If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however* that reasonable variation shall be permitted and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 38 of this Act.

Fourth—If it be a manufactured article of food or food sold in package form, and is not distinctly labeled, marked or branded with the true name of the article and with either the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells the same, or if its label does not conform to the regulations set forth in this Act.

Fifth—If the package containing it or its label shall bear any statement, design or device regarding the ingredients of the substance contained therein, which statement, design or device shall be false or misleading in any particular: *Provided*, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in following cases:

1st—In case of mixture or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where the article has been manufactured or produced.

2nd—In case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations or blends and the word "compound," "imitation" or "blend," as the case may be, is plainly

stated on the package in which it is offered for sale: *Provided*, that the term "blend" as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only; and as applied to alcoholic beverages, only those distilled spirits shall be regarded as "like substances" which are distilled from the fermented mash of grain and are of the same alcoholic strength: *And, provided, further*, that nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods, which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this Act may require to secure freedom from adulteration or misbranding.

3rd—In the case of mixtures of corn syrup (glucose) or corn sugar (dextrose) or corn sugar syrup, with cane or beet sugar (sucrose) or cane or beet sugar syrup, in food, if the maximum percentage of corn syrup (glucose), or corn sugar (dextrose), or corn sugar syrup, in such article of food plainly stated on the label.

§ 2. That said Act be amended by adding thereto a section to be known as section 39a. 1, as follows:

§ 39a. 1. It shall be unlawful to ship or otherwise dispose of in any kind of a container, or in any other manner, any collection of eggs or any eggs known as "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy eggs," "black spots," "black rots" or any other eggs of an unwholesome nature, unless the same are broken in the shell, and then denatured, so as to render the same unfit for human food.

Eggs exclusive of the above named varieties which are not intended for sale to the trade in shell form are hereby declared "Breaking Stock." "Breaking Stock," when packed in cases sealed with proper identifying strips, that have been approved by the Director of the Department of Agriculture, may be shipped from within or without the State of Illinois, either directly or otherwise, to licensed egg breaking establishments in Illinois.

All persons, firms or corporations that engage in the State of Illinois in the business of removing eggs from their shells in the manufacture of frozen, liquid, dessicated, or any other form of whole egg, yolks, whites, or any mixture of yolks and whites with or without the additions of any other ingredients, shall before engaging in such business, apply to the Director of the Department of Agriculture for a license. Thereupon the Director of the Department of Agriculture, or his agents, shall inspect the establishment and equipment of said egg breaking establishment, and he shall also ascertain, if the said establishment complies in method and equipment with the sanitary law and the rules and regulations that shall from time to time be established by the Director of the Department of Agriculture, for the governing of these establishments. If after such inspection it shall appear that the said establishment complies with the provisions of the sanitary law and the rules and regulations governing egg breaking establishments, then the said Director of the Department of Agriculture shall certify to the State Treasurer that the said establishment is entitled to a license.

Every person, firm or corporation engaged in the breaking of eggs and whose establishment has been inspected and approved as above described shall pay annually during the month of December of each year a license fee of three hundred dollars (\$300.00) for each establishment to the Treasurer of the State of Illinois. Said Treasurer shall in each case at once certify to the Director of the Department of Agriculture the payment of such fee, and thereupon the Director of the Department of Agriculture shall issue a license to such establishment.

It shall be unlawful for any one to have in his possession eggs known as "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy eggs," "black spots," "black rots," or any other unwholesome eggs, unless the same are broken in the shell, and then denatured so as to render the same unfit for human food.

Every egg breaking establishment, when it has received its license, shall be furnished with an identifying establishment number. Said number shall be included as part of the proper labeling of all cans or other receptacles in which frozen or dessicated egg products are offered for sale. The form and manner of placing said number on containers shall be under rules and regulations promulgated by the Director of the Department of Agriculture.

Brokers, commission men, or ordinary receivers of eggs who have eggs shipped to them in these "breaking stock" identified cases may break the seal and examine the stock, but they must reseal the identified strip where it is cut, with another identifying strip, which carries their name and address and the date on which they inspected the eggs. They will be held responsible for any tampering of the contents of the identified cases.

Whoever shall violate any of the provisions of this section shall be guilty of a misdemeanor and shall be punished as provided in this Act, and in addition thereto the Director of the Department of Agriculture shall at once revoke such offender's license.

§ 3. That section 39b. of said Act as amended be and it hereby is repealed.

APPROVED June 26, 1917.

STATE HISTORICAL LIBRARY.

STATE HISTORICAL LIBRARY.

§ 1. Amends section 4, Act of 1889.

§ 4. Defines power of trustees.

(HOUSE BILL No. 881. APPROVED JUNE 26, 1917.)

AN ACT to amend section 4 of an Act entitled, "An Act to establish the Illinois State Historical Library and to provide for its care and maintenance and to make an appropriation therefor," approved May 25, 1889, in force July 1, 1889, as amended by an Act approved June 10, 1911, in force July 1, 1911.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 4 of an Act entitled, "An Act to establish the Illinois State Historical Library and to provide

for its care and maintenance and to make an appropriation therefor," approved May 25, 1889, in force July 1, 1889, as amended by an Act approved June 10, 1911, in force July 1, 1911, be and the same is hereby amended so as to read as follows:

§ 4. The said trustees shall have power and they are hereby required to make all necessary rules, regulations and by-laws not inconsistent with law to carry into effect the purposes of this Act, and to procure from time to time as may be possible and practicable, at reasonable cost, all books, pamphlets, manuscripts, monographs, writing, and other material of historical interest and useful to the historian bearing upon the political, physical, religious or social history of the State of Illinois from the earliest known period of time. They shall also have power to select some person having the requisite qualifications as librarian, whose salary shall be three thousand dollars per annum.

APPROVED June 26, 1917.

STATE LANDS.

SALE BY STATE OF ILLINOIS OF CERTAIN LANDS TO ILLINOIS STEEL COMPANY.

§ 1. Legal description — consideration and conveyance. § 2. Patent—how issued.

(SENATE BILL NO. 113. APPROVED JUNE 26, 1917.)

AN ACT providing for the sale by the State of Illinois to Illinois Steel Company of certain lands in the city of Joliet, Will County, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly; That all the right, title and interest of the State of Illinois in and to the following described tract, piece or parcel of land situated in Will County, Illinois, to-wit:*

That portion of lot one (1) of assessor's subdivision of section three (3), township thirty-five (35) north, range ten (10) east of the third principal meridian and lying west of the right-of-way of the Chicago, Alton and St. Louis Railroad, as follows:

Beginning at a point on the east and west center line of said section three (3), township thirty-five (35) north, range ten (10) east of the third principal meridian and one hundred two and thirty one-hundredths (102.30) feet west of the west line of the right-of-way of said Chicago, Alton and St. Louis Railroad; thence west along said east and west center line of said section three (3), township thirty-five (35) north, range ten (10) east of the third principal meridian two hundred fifty-five and forty one-hundredths (255.40) feet to the east st line of the ninety (90) foot reserve strip on the east side of the Illinois and Michigan Canal; thence north seventeen (17) degrees fifty (50) minutes east eight hundred fifty-one and forty one-hundredths (851.40) feet along said line of said ninety (90) foot reserve strip to a point; thence east two hundred eighty-five and ten one-hundredths (285.10) feet to the west line of said Chicago, Alton and St. Louis Railroad right-of-way, thence southwesterly along said west line of the Chicago, Alton and St.

Louis Railroad right-of-way to the said east and west center line of section three (3), township thirty-five (35) north, range ten (10) east of the third principal meridian and continuing southwesterly along said west line of the Chicago, Alton and St. Louis Railroad right-of-way two hundred seventy-nine and fifty-five one-hundredths (279.55) feet to a point, thence west one hundred ten and ninety one-hundredths (110.90) feet to a point; thence north sixteen (16) degrees forty-five (45) minutes east two hundred eighty-one and fifty one-hundredths (281.50) feet to a point in the said east and west section line of section three (3), township thirty-five (35) north, range ten (10) east of the third principal meridian, being the point of beginning, containing six and sixty-three one-hundredths (6.63) acres, more or less; be and the same is hereby granted, quit-claimed and conveyed to Illinois Steel Company upon the payment by the Illinois Steel Company into the State treasury of the sum of sixteen thousand five hundred and seventy-five dollars (\$16,575). *Provided* that the Illinois Steel Company, the grantee and its successors in title shall perpetually maintain the existing sewers across said land or shall otherwise provide and maintain adequate sewers in place thereof.

§ 2. Upon payment being made as above provided, a patent shall be issued under the great seal of State by the Governor and Secretary of State conveying to Illinois Steel Company the certain tract, piece or parcel of land described in section 1 of this Act.

APPROVED June 26, 1917.

SALE TO IROQUOIS IRON COMPANY SUBMERGED LANDS.

§ 1. Interest of State to described tract submerged beneath Lake Michigan granted Iroquois Iron Company — consideration \$11,620 — land to be conveyed when re-claimed.

§ 2. Patent to issue for not less than 5 acres at one time.

(HOUSE BILL NO. 734. FILED JUNE 28, 1917.)

AN ACT for the sale to the Iroquois Iron Company of the interest of the State of Illinois in certain lands.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the right, title and interest of the State of Illinois in and to the land now and heretofore submerged beneath the waters of Lake Michigan, and described as follows, shall be granted, quit-claimed and conveyed to the Iroquois Iron Company, in fee, that is to say: Commencing at the most easterly corner of lot seventy-eight (78) in the subdivision of lots one (1), two (2), three (3), twenty-four (24), twenty-five (25) and twenty-six (26) in block one (1) of Taylor's second addition to South Chicago, being a subdivision of southwest fractional quarter of section five (5) south of the Indian boundary line in Township thirty-seven (37) north, Range fifteen (15) east of the 3rd P. M., in Cook County, Illinois; running thence easterly parallel to the north line of said Taylor's second addition to the shore of Lake Michigan for a point of beginning; thence continuing easterly along the same line to a point which is four hundred thirty-

two and five-tenths (432.5) feet from the most easterly corner of said lot seventy-eight (78); running thence northeasterly to the southwesterly corner of the corner of the lands described in "An Act for the sale to American Smelting & Refining Company of the interest of the State of Illinois in certain lands," approved June 15, 1909; running thence northeasterly along the southeasterly boundary of the lands last referred to to an intersection with the United States harbor line; running thence south twenty-three (23) degrees five (5) minutes and thirty (30) seconds east along said United States harbor line to an intersection with the boundary line between the states of Indiana and Illinois extended; running thence south along the boundary line between the states of Indiana and Illinois extended to the north line of 95th street in the city of Chicago extended; running thence west along the north line of said 95th street extended to the shore of Lake Michigan; running thence northerly along the shore of Lake Michigan to the place of beginning, containing fifty-eight and one-tenth (58.1) acres, subject, however, to all rights and interests of the Government of the United States and upon the following conditions:

First: That the said Iroquois Iron Company shall pay into the treasury of the State of Illinois, within sixty (60) days from the passage of this Act, the sum of eleven thousand six hundred and twenty dollars (\$11,620).

Second: That not less than five (5) acres of land aforesaid shall be conveyed at any one time, and that any such part of such lands shall not be so conveyed until the same, not less than five (5) acres in area, shall have been filled in and reclaimed and raised above the surface of Lake Michigan.

Third: That any part of such land which shall not have been filled in and reclaimed and raised above the surface of Lake Michigan within fifteen (15) years from the date that this Act shall go into effect, shall revert to the State, and the said Iroquois Iron Company shall have no further right by virtue hereof to fill in and reclaim such part.

Fourth: That said Iroquois Iron Company shall have free and unobstructed access from such of said lands as may be filled in and reclaimed as aforesaid to Lake Michigan, but shall not have any other riparian rights appurtenant thereto.

§ 2. Upon payment being made as above provided, and upon the filing in the office of the Secretary of State, from time to time, of good and sufficient evidence that any part of such lands, not less than five (5) acres in area, has been filled in and reclaimed as aforesaid, then a patent shall be issued under the great seal of State, by the Governor and Secretary of State conveying such part of said lands, but not less than five (5) acres, at any one time, to the said Iroquois Iron Company in accordance with the provisions of this Act.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, Secretary of State.

STATE MILITIA.

MILITARY AND NAVAL CODE—ACT OF 1909 AMENDED.

§ 1. Amends section 4, Military and Naval Code, 1909.

§ 4. Compensation of National Guard.

§ 2. Emergency.

(SENATE BILL NO. 592. APPROVED JUNE 25, 1917.)

AN ACT to amend section 4 of Article 16 of "An Act to establish a military and naval code for the State of Illinois, and to repeal all Acts in conflict therewith" approved June 10, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four (4) of an Act entitled "An Act to establish a Military and Naval Code for the State of Illinois, and to repeal all Acts in conflict therewith" approved June 10, 1909, in force July 1, 1909, being the same and is hereby amended to read as follows:

§ 4. Enlisted men of the National Guard and Naval Reserve shall receive per day, for services actually performed when on active service for suppression of riot and for the enforcement of the laws, according to their respective grades as follows:

a. Sergeants major, quartermaster, commissary and ordnance sergeants, of or attached to the division, brigades, regiments or separate battalions; first class signal and hospital corps sergeants, chief trumpeters and principal musicians, first sergeants and company quartermaster sergeants, drum majors and color sergeants in the National Guard, and chief petty officers and petty officers, first class in the seaman branch of the Naval Reserve, \$2.75.

b. Battalion sergeants major and trumpeter sergeants, chief mechanics of batteries, sergeants of the hospital and signal corps, and of the line in the National Guard, petty officers, first class except in the seaman branch, and petty officers, second class, in the Naval Reserve, \$2.60.

c. Corporals cooks, musicians and mechanics in the National Guard and petty officers, third class, and buglers, in the Naval Reserve \$2.25.

d. Privates and seamen, all grades, \$2.00, *Provided* that from and after the passage of this Act and until the determination of the National emergency as set forth in the Act of Congress entitled "An Act to authorize the President to increase temporarily the military establishment of the United States," approved by President May 18, 1917, the pay of enlisted men of the National Guard and Naval Militia while in active service of the State shall be at the rate of \$1.00 per day.

§ 2. WHEREAS an emergency exists, this law shall take effect from and after its passage and approval.

APPROVED June 25, 1917.

MILITARY AND NAVAL CODE AMENDED.

§ 1. Amends section 2 of Article XVI,
Act of 1909.

§ 2. Adjutant General—salary.

(SENATE BILL NO. 610. APPROVED JUNE 22, 1917.)

AN ACT to amend an Act entitled: "An Act to establish a military and naval code for the State of Illinois and to repeal all Acts in conflict herewith," approved June 10, 1909, in force July 1, 1909, as subsequently amended, by amending section 2 of Article XVI thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled: "An Act to establish a military and naval code for the State of Illinois and to repeal all Acts in conflict herewith," approved June 10, 1909, in force July 1, 1909, as subsequently amended, be, and the same is hereby amended by amending section 2 of Article XVI thereto to read as follows:

§ 2. (Article XVI). The Adjutant General shall receive \$7,000 per year. The Adjutant General who is the chief assistant to the Adjutant General, and the assistant Quartermaster General, shall each receive \$5,000 per year; the captain and assistant quartermaster in charge of the State arsenal shall receive \$1,500 per year.

APPROVED June 22, 1917.

STATE MILITARY AND NAVAL CODE—RESERVE MILITIA.

§ 1. Governor to issue proclamation for volunteers to form reserve militia.

§ 2. Governor to fix terms of enlistment — to appoint recruiting officers, and to disband troops in his discretion.

§ 3. Enlistment and oath.

§ 4. Commissions.

§ 5. Discharges.

§ 6. To be organized and equipped without expense to the State—to be paid when in actual service.

§ 7. Character of equipment and training to be prescribed by Adjutant General.

§ 8. Emergency.

(SENATE BILL NO. 589. APPROVED JUNE 25, 1917.)

AN ACT to provide for the organization of reserve militia from the unorganized militia of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the Governor as Commander-in-Chief of the military and naval forces of the State, shall deem it necessary or advisable for the purpose of executing the laws of the State, or of preventing the actual or threatened violation thereof, or any other emergency or suppressing actual or threatened insurrection or riots, or when the nation is at war and a requisition or order has been made, or is likely to be made, by the President of the United States calling the National Guard, or parts thereof, into the national service, he may issue a proclamation or call for volunteer companies, battalions, regiments, brigades, or other units of land forces to be known as the Reserve Militia which shall be formed from and out of the unorganized militia of the State.

§ 2. The Governor shall determine and shall fix in any such proclamation or call the number of such volunteers, their term of enlistment, and the kind and number of such units to be called for and organized,

and he shall appoint and authorize officers to recruit and enroll such volunteers under such rules and regulations as shall be fixed and promulgated by the Adjutant General with the approval of the Governor: *Provided*, that no such term of enlistment shall be for a longer term than two years; *And provided further*, that any and all such units may be disbanded or mustered out, and any or all of such volunteers may be discharged, when in the judgment of the Governor the emergency or the conditions making such organizations necessary or advisable shall have passed or changed.

§ 3. Every person so enrolling or enlisting in the reserve militia shall sign an enlistment paper in the form prescribed by the Adjutant General and shall take the following oath or affirmation, which may be administered by any such duly appointed recruiting or enrolling officer or any commissioned officer in the reserve militia:

"I do solemnly swear (or affirm) that I will true allegiance bear to the State of Illinois, and that I will uphold its Constitution and laws and will serve it faithfully; that I will obey orders of the Commander-in-Chief and of such officers as may be placed over me, and the laws, rules and regulations of the reserve militia, so help me God."

§ 4. The Governor, as Commander-in-Chief, shall make all appointments to commissioned rank in the Reserve Militia. Commissions evidencing all appointments shall be signed by the Governor and shall be attested and issued by the Adjutant General. All non-commissioned and petty officers shall be appointed in accordance with the rules and regulations promulgated by the Adjutant General.

Commissions to officers shall read to a certain grade in a given regiment, battalion, company or other unit of the reserve militia, and assignment of such officers to duty in any unit shall be by the Commander-in-Chief. The validity of all commissions shall be subject to formal acceptance and the execution of oath prescribed by law or by the rules and regulations promulgated by the Adjutant General.

§ 5. Each and every enrolled man who shall leave or sever his connection with the reserve militia shall be entitled to and shall receive a discharge in accordance with the rules and regulations to be promulgated by the Adjutant General with the approval of the Governor, and such rules and regulations shall provide the conditions and circumstances under which he may leave, retire from, or be discharged from the reserve militia.

§ 6. The organization, equipment and maintenance of the reserve militia shall be without expense to the State:

Provided, that if the Governor, as Commander-in-Chief, shall call the reserve militia, or any part thereof, into the actual service of the State, or to assemble in State or district encampments for the purpose of drill, discipline and increase of efficiency, the State shall pay the cost of travel and maintenance and shall pay the officers at the rate which is now or hereafter may be allowed to the officers in the National Guard, while in similar service of the State, and the enlisted men while in the actual service of the State shall receive pay at the rate of one dollar per day.

§ 7. The uniforms, arms and other equipment of the reserve militia, the minimum number of meetings for instruction, drill and training of the various units thereof, the character of such instruction and training, and all other matters and things necessary or desirable for the complete organization, equipment, discipline and efficiency of the reserve militia, not otherwise provided for and covered in this Act, shall be prescribed and carried into effect by and through rules and regulations promulgated by the Adjutant General and approved by the Governor.

§ 8. WHEREAS, an emergency exists, this law shall take effect from and after its passage and approval.

APPROVED June 25, 1917.

STATE MILITARY AND NAVAL CODE.

§ 1 Amends sections 1 and 2 of Article I, sections 1, 2, 3 and 4 of Article II, and sections 1 and 4 of Article XIII, and adds section 21 to Article VI, Act of 1909.

§ 1. Who liable to military duty.

ARTICLE I.

§ 2. State militia divided into classes.

ARTICLE II.

§ 1. National Guard—of whom to consist—organized peace strength—Governor may increase in case of war.

§ 2. Organized naval force.

§ 3. Commander-in-chief may alter, divide, annex, consolidate, disband or reorganize any organization or department of State land and naval forces.

ARTICLE II—Continued.

§ 4. Commander-in-chief may make rules and regulations.

ARTICLE XIII.

§ 1. Appointments in commissioned ranks—staff officers must have had previous military experience.

§ 4. Commissions—assignment.

ARTICLE VI.

§ 21. Nuisances within one-half mile of training camp—abatement—penalty.

§ 3. Repeal.

§ 4. Emergency.

(HOUSE BILL NO. 813. APPROVED MAY 5, 1917.)

AN ACT to amend sections one (1) and two (2) of Article one (1), sections one (1), two (2), three (3) and four (4) of Article two (2), and sections one (1) and four (4) of Article thirteen (13) of an Act entitled, "An Act to establish a military and naval code of the State of Illinois, and to repeal all Acts in conflict therewith," approved June 10, 1909, in force July 1, 1909, to add one section to Article six (6) of said Act, to be known as section twenty-one (21), and to repeal certain sections of certain articles of said Act.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections one (1) and two (2) of Article one (1) and sections one (1), two (2), three (3) and four (4) of Article two (2) and sections one (1) and four (4) of Article thirteen (13) of an Act entitled, "An Act to establish a military and naval code of the State of Illinois and to repeal all Acts in conflict therewith," approved June 10, 1909, in force July 1, 1909, be amended and that a new section be added to Article six (6) of said Act, to be

known as section twenty-one which said sections as hereby amended and said additional sections shall read as follows:

Section one (1) of Article one (1): That all able bodied male citizens of this State and all other able bodied males resident in this State who have or shall have declared their intention to become citizens of the United States, between the ages of eighteen and forty-five years, except such as are expressly exempted by the laws of the United States and the State of Illinois, shall be subject to military duty and designated as the Illinois State Militia.

Section two (2), Article one (1): The said Illinois State Militia shall be divided into three classes, the National Guard, the Naval Militia and the Unorganized Militia.

Section one (1), Article two (2): The National Guard shall consist of the regularly enlisted militia between the ages of eighteen and forty-five years, organized, armed and equipped as prescribed by the laws of the United States and the regulations and tables of organization in conformity therewith, published from time to time by the President of the United States or the Secretary of War, or by the Governor; and of commissioned officers between the ages of twenty-one and sixty-four years: *Provided*, that in time of peace the strength of the National Guard and Naval Militia of this State so organized, armed and equipped shall not be less than six thousand (6,000) and not more than twenty-five thousand (25,000) officers and enlisted men. The Governor as Commander-in-Chief shall have power in case of war, insurrection, invasion or imminent danger thereof, to increase the forces beyond the said twenty-five thousand (25,000) and organize same as the exigencies of the service may require.

Section two (2), Article two (2): The naval force of the State shall be designated as Illinois Naval Militia. The organization, equipment, discipline and government of the Illinois Naval Militia shall conform to the regulations, customs and usages of the Navy of the United States.

Section three (3), Article two (2): The Governor as Commander-in-Chief shall have power to alter, divide, annex, consolidate, disband or reorganize any organization, department or corps and create new organizations, departments or corps, whenever in his judgment the efficiency of the State forces, land or naval, will be thereby increased, and he shall have the power to change the organization, department or corps so as to conform to any organization, system of drill or instruction now or hereafter adopted by the Army or Navy of the United States or prescribed by the laws of the United States for the government of the militia (land or naval) and for that purpose the number of officers or non-commissioned officers or petty officers in any grade or any organization, department or corps may be increased or diminished and the grades of such officers, non-commissioned officers or petty officers may be altered to such an extent to secure such conformity. Officers rendered surplus by the disbandment of their organization shall be placed in the National Guard Reserve. Officers may, upon their own application be placed in said reserve. The Governor shall have the power to fix and

from time to time alter, the maximum number of enlisted men which shall form part of any organization, department or corps, irrespective of, but not exceeding the maximum prescribed in the law.

Section four (4), Article two (2): The Governor as Commander-in-Chief shall have power to make all necessary rules and regulations and to issue such orders from time to time as may be necessary for the thorough organization and discipline of the Militia, but such rules, regulations and orders shall conform with the laws of the United States and the rules, regulations and tables based thereon.

Section one (1), Article thirteen (13): The Commander-in-Chief shall make all appointments in the commissioned rank in the National Guard and Naval Militia of the State: *Provided*, that staff officers, including officers of the pay, inspection, subsistence and medical departments hereafter appointed shall have had previous military experience and shall hold their positions until they have reached the age of sixty-fours [four] years unless retired prior to that time by reason of resignation, disability or for a cause to be determined by court martial legally convened for that purpose, and that vacancies among said officers shall be filled by appointment from the officers of the militia of this State.

Commissions evidencing all appointments shall be signed by the Governor and attested and issued by the Adjutant General.

Section four (4), Article thirteen (13): Commissions to officers shall read to a certain grade in a given regiment, separate battalion, staff, corps, department or other unit. Assignment to duty in any unit shall be by order of the Commander-in-Chief. The validity of all commissions shall be subject to formal acceptance and the execution of oath of office prescribed by law.

§ 2. Section twenty-one (21), Article six (6): Any filth, offal, or any putrid, or decaying matter, material or substance of any kind, which constitutes a menace to public health or will be offensive to the senses of human beings, deposited in any building, structure or enclosure, or on any premises, or in any place within one-half mile of any National Guard camp grounds, rifle range, or building, or enclosure occupied and used, or about to be occupied or used by any troop or troops of soldiers, or the Illinois National Guard, in the service of the State or National government, or which may be called into the service of either, is hereby declared to be a common nuisance, and the State Board of Health or the Department of Public Health is hereby empowered to determine whether such nuisance exists, and if found to exist to forthwith, in writing, order the person, firm, association or private, public or municipal corporation, as the case may be, to immediately abate such nuisance; and upon failure of any such person, firm, association of persons, or such private, public or municipal corporation to immediately obey such order, the State Board of Health, or the Department of Public Health shall have the power, and it is hereby made its duty, summarily to abate such common nuisance; and the person or persons, firm[,] association, or private, public or municipal corporation responsible for such common nuisance; shall be liable for the cost and expense of such abate-

ment in an action therefor at the suit of the People of the State of Illinois.

Any person or persons, either individually or as officers of any private, public or municipal corporation creating or maintaining, or responsible for the creation or maintenance of such common nuisance, or failing, or refusing to immediately abate the same upon the written order of the State Board of Health, or the Department of Public Health, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars, nor more than one hundred dollars, or by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment in the discretion of the court.

§ 3. Sections two (2), three (3), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13) and sixteen (16) of Article thirteen (13) of said Act are hereby repealed.

§ 4. WHEREAS, an emergency exists, this law shall take effect from and after its passage and approval.

APPROVED May 5, 1917.

ACT TO REGULATE SOLICITATION OF FUNDS FOR WAR AID AND WAR CHARITY.

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| § 1. Purpose for which funds may be solicited. State Council of Defense to issue license. | § 4. Power of State Council of Defense to revoke license. |
| § 2. Unlawful to solicit without license. | § 5. Penalty. |
| § 3. How license obtained. | § 6. Exemptions. |

(HOUSE BILL NO. 1028. APPROVED JUNE 25, 1917.)

AN ACT. *To regulate the solicitation of funds and other property for purposes of war aid and war charity during the duration of the war in which the United States is now engaged.*

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That the State Council of Defense be and it is hereby given full power and authority to issue licenses from time to time, and to revoke the same from time to time, authorizing the solicitation during the duration of the war in which the United States is now engaged, by individuals, societies, clubs, associations or corporations, of funds and other property for the following purposes:

(a) Aid and relief in the prosecution of said war or for the use or benefit of any hospital or relief service exclusively connected with the prosecution of said war.

(b) Aid and relief to the soldiers and sailors who are or have been in the service of the United States in said war, for their individual benefit and comfort.

(c) Aid and relief to the families and dependents of soldiers and sailors who are or have been in the service of the United States in said war.

(d) Aid and relief to the families and dependents of soldiers and sailors killed in the service of the United States during said war.

§ 2. It shall be unlawful for any individual, society, club, association or corporation to engage in any solicitation for any war aid or war charities of the character enumerated in section 1 aforesaid, without having first obtained a license to make such solicitation, issued by the said State Council of Defense.

§ 3. All applications for licenses to solicit for war aid or war charities as aforesaid, shall be in writing, addressed to said State Council of Defense, and shall state the particular war aid or war charity for which the applicant desires to solicit, together with the amount desired to be raised and the method and channel of disbursing or distributing the same, and whether or not compensation or a commission is to be paid for the subscriptions, funds or other property obtained by such applicant, and the amount of such compensation or commission. If such application shall be on behalf of an individual, it shall state the name, age, sex, residence, business and occupation of the applicant. If such application shall be on behalf of a society, club, association or corporation, then said application shall state the name, office or place of business, whether incorporated or unincorporated, and if incorporated, when and where incorporated, and the objects and purposes of such applicant, and the names and residences of its officers. Every such application if made on behalf of an individual, shall be signed and sworn to by such applicant, and if made on behalf of any society, club, association or corporation, shall be signed in the name of such society, club, association or corporation by the president or secretary thereof, and shall be sworn to by such president or secretary.

§ 4. All individuals, societies, clubs, associations and corporations to whom licenses as aforesaid shall have been issued by said State Council of Defense, shall obey and comply with all the rules, requirements, regulations and directions that may be issued from time to time by said State Council of Defense, and the said State Council of Defense shall have power to revoke any license that may have been issued by it upon failure of the licensee to comply with the rules, requirements, regulations and directions prescribed by said State Council of Defense, or whenever in its judgment the purposes of said license have been accomplished or have ceased to be useful or necessary.

§ 5. Any individual, society, club, association or corporation, or any officer, director or member of any society, club, association or corporation, who shall knowingly violate any of the provisions of this Act, shall be deemed guilty [of] of a misdemeanor, and upon conviction thereof shall be fined in a sum of not exceeding one thousand dollars (\$1,000) for each offense.

§ 6. Nothing contained in this Act shall be construed as prohibiting,

(a) The family or friends or any soldier or sailor who is or has been in the service of the United States during said war, from supplying such soldier or sailor or the family and dependents of such soldier or sailor with any moneys, goods, articles or property of use or of comfort at any time.

(b) Any society, club, association, corporation, congregation or religious association or corporation from soliciting any war aid or war

charity as aforesaid, among its own members, unless such solicitation shall be prohibited by the regulations of the military or naval authorities of the United States.

(c) The solicitation by any individual, society, club, association or corporation, for any war aid or war charity authorized by or under any law or resolution passed by the Congress of the United States or by or under any act or proclamation of the President of the United States.

APPROVED June 25, 1917.

STATUTES.

REPRINTING OF SESSION LAWS.

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| § 1. Secretary of State to cause to be printed Pope's Territorial Laws and all public and private laws and joint resolutions prior to 1917. | § 3. Style and typographical makeup—Superintendent of Printing to prepare specifications. |
| § 2. Number to be printed—distribution—copies to be sold—report to be made to Governor. | § 4. Department of Public Works and Buildings to advertise for bids. |
| | § 5. Edition to be evidence. |
| | § 6. Act of 1903 repealed. |

(HOUSE BILL NO. 553. APPROVED JUNE 25, 1917.)

AN ACT to publish, distribute and sell the laws of the Territory of Illinois and all the laws and joint resolutions passed prior to January 1, 1917, at all regular and special sessions of the General Assemblies of the State of Illinois, and provide for their admission in evidence and to repeal an Act therein named.

WHEREAS, it is a matter of common knowledge that innumerable rights have been acquired and established under private and public laws, and privileges are asserted under joint resolutions, passed at regular and special sessions of the General Assemblies of this State, many of which laws and resolutions are to be found only in the office of the Secretary of State, or in such of the published editions of the session laws as are still extant; that practically every edition of such session is out of print; that the courts are called upon constantly to construe such laws and joint resolutions, and to apply them in determining litigation which is affected by them; and that all such laws and joint resolutions should be more readily accessible to the officers and citizens of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The Secretary of State of Illinois is hereby directed to cause to be printed and published in such form and in such number of volumes as may be hereinafter prescribed, Pope's Territorial Laws and all the public and private laws and joint resolutions passed prior to January 1, 1917, at all regular or special sessions of the General Assemblies of the State of Illinois.

The Secretary of State shall carefully compare with the original laws, and edit, or cause to be compared and edited, indexed and prepared for printing by a competent and experienced legal editor or editors, all of the Acts, laws and printed joint resolutions printed and published herein provided for; *provided* there shall be eliminated from these volumes all auditors' and treasurers' reports, and appropriation Acts.

§ 2. Twelve hundred and fifty copies of each volume of said reprint shall be printed, and the Secretary of State shall immediately, after their publication, deposit ten of said sets in his office and distribute the others as follows:

To the clerk of the Senate for the use of the Senate, one set.

To the clerk of the House of Representatives for the use of the House, one set.

One set to the County Court of each county, and one set to the Circuit Court of each county in the State of Illinois, to be and remain the property of such court.

Twenty-five sets to the board of commissioners of Cook County for distribution to the different courts of record of Cook County, to be and remain the property of such courts.

One set to libraries of the Appellate Courts of each district, to be and remain the property of such courts.

Ten sets to the Supreme Court Library to be and remain the property of the Supreme Court.

One set to the law library of the University of Illinois, one set to the.....library of the University of Illinois; one set to the State Library; one set to the State Historical Library and one set to the Legislative Reference Bureau.

The remaining sets the Secretary of State may sell to such persons, firms or corporations as may desire to purchase, a set or sets of laws herein mentioned, at a price per set estimated at ten per cent (10%) above the actual cost of reproduction per set. *Provided* that the Secretary of State shall not sell more than two sets to any one person, firm, association or corporation. The money or moneys received for the sale of said reprint of session laws shall be converted into the State treasury within thirty (30) days after the receipt thereof. The Secretary of State shall make a report to the Governor on the first Monday in January and the first Monday in July of each year of the number of copies sold, and the number of copies on hand in his possession, until such time as the number of copies available for sale have been disposed of.

§ 3. The session laws herein mentioned shall be printed in not to exceed forty-one (41) volumes one of which shall contain a complete index of all of such session laws, joint resolutions and territorial laws. The number of pages contained in each volume shall be approximately nine hundred sixty (960), *provided*, that the laws of no one session shall be divided between two volumes, excepting the cases where the laws of any one session will require more than nine hundred sixty (960) pages. The size of the printed page shall be 6x9 inches, as nearly as may be. The type page shall be 4½x7½ inches (27x45 picas) including running head and folio. Said laws and joint resolutions shall be set in a clear, legible face of 8 point, modern type, set solid. The original page number now appearing in the printed sessions laws shall be shown in block Gothic figures—8 point—enclosed in brackets. The paper shall be 25x38, 40lb basis number 1 machine finished book, free from unbleached sulphite and ground wood, with a tensile strength of not less than 14 points on a mullen or other standard paper tester.

In the press work the forms must be carefully made ready, and a clean, sharp impression furnished. A high grade permanent black book ink must be used, and a uniform, distinct color maintained throughout the volumes.

The binding shall be library buckram, with the number 30 cloth board of a high grade, title in red leather stamped in real gold to be glued on the back. The title to be approximately two inches in height. The sections must be carefully machine sewed, extra-supered, and glued over with cotton head bands and plain end sheets.

The Superintendent of Printing shall prepare accurate specifications which will insure the production of serviceable and substantial volumes, which specifications and directions shall be faithfully and carefully observed in the manufacture.

§ 4. The Department of Public Works and Buildings shall advertise for bids, and award contracts in like manner as provided for in an Act entitled, "An Act to revise the law in relation to State contracts."

§ 5. The Acts, and laws so printed and published hereunder shall be admissible in evidence in all courts and proceedings in this State, and shall be considered as duly authenticated copies of the originals.

§ 6. The following Act is hereby repealed: "An Act entitled, 'An Act to authorize and provide for the reprint of session laws by the Secretary of State,' approved May 14, 1903, in force July 1, 1903."

APPROVED June 25, 1917.

TELEGRAPH AND TELEPHONE COMPANIES.

TELEGRAPH AND TELEPHONE COMPANIES.

§ 1. Amends section 7, and adds section 7a to Act of 1874.

§ 7a. Contents of message not to be disclosed — penalty.

§ 7. Messages sent in order of reception — suppression — revealing contents.

(SENATE BILL No. 444. FILED JUNE 29, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874, as subsequently amended, by amending section 7 of said Act and by adding a new section to be known and designated as section 7a.

SECTION 1. Be it enacted by the People of the State of Illinois represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874, as subsequently amended, be, and the same is hereby amended by amending section 7 thereof and by adding a new section to be known and designated as section 7a to read as follows:

§ 7. It shall be the duty of all persons employed in transmitting messages by telegraph to transmit them in the order in which they are received; and any person who shall fail so to transmit a message, or who shall suppress a message, or who shall make known the contents of a message to any person other than the one to whom it is addressed, or his agent, or who shall wrongfully take from any dispatch to any news-

paper any information and send it to any newspaper other than the one to which it is addressed, shall be deemed guilty of a misdemeanor, and be punished by a fine not exceeding one thousand dollars (\$1,000).

§ 7a. Any telegraph company or any officer, agent or employee of a telegraph company which shall disclose or knowingly permit to be disclosed, or shall impart or knowingly permit to be imparted, the contents of any message entrusted to such company for transmission, to any person, firm or corporation other than the person, firm or corporation to which the said message is addressed, shall be deemed guilty of a misdemeanor and upon conviction thereof may be punished by a fine not exceeding one thousand dollars (\$1,000).

FILED June 29, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-ninth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State.*

TOWNSHIP ORGANIZATIONS.

BOARD OF TOWN AUDITORS.

§ 1. Amends section 3 of Article XIII,
Act of 1874.

§ 3. Meeting of town auditors.

(HOUSE BILL No. 797. APPROVED JUNE 25, 1917.)

AN ACT to amend section 3 of Article XIII of an Act entitled, "An Act to revise the law in relation to township organization, approved and in force March 4, 1874, as amended by subsequent amendatory Acts thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, an Act to revise the law in relation to township organization, approved and in force March 4, 1874, as amended by subsequent amendatory Acts thereto, be and the same is hereby amended to read as follows:

§ 3. Said board of auditors shall meet at the town clerk's office for the purpose of examining and auditing the town accounts, semi-annually, on the Tuesday next preceding the annual meeting of the county board and on the Tuesday next preceding the annual town meeting, and may in their discretion meet on the fourth Tuesday next following said annual town meeting.

APPROVED June 25, 1917.

OFFICERS—ELECTION.

§ 1. Amends section 1, Article VII, Act
of 1874.

§ 1. Election of officers.

(HOUSE BILL No. 754. APPROVED JUNE 28, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as subsequently amended, by amending section one (1) of article seven (VII.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to

revise the law in relation to township organization," approved and in force March 4, 1874, as subsequently amended, be and the same is hereby amended by amending section one (1) of Article seven (VII) thereof to read as follows:

§ 1. (Article VII). At the annual town meeting in each town, there shall be elected by ballot one supervisor (who shall be *ex officio* overseer of the poor), one town clerk, one assessor, and one collector, who shall severally hold their offices for two years and until their successors are elected and qualified, and such justices of the peace, constables and highway commissioners as are provided by law: *Provided*, that in any town or city not included within the limits of any town (except in Cook County) having four thousand (4,000) inhabitants, there shall be elected one additional supervisor to be styled assistant supervisor; in towns having six thousand five hundred (6,500) inhabitants, there shall be elected two assistant supervisors; and so for every additional twenty-five hundred (2,500) inhabitants, there shall be elected one additional supervisor, the population of towns to be ascertained by the last Federal or State census preceding the election:

And, provided, further, that in counties under township organization, now having a population of less than 100,000 there shall hereafter be no town collector elected, but the county collector shall be *ex officio* town collector, and all the duties of the town collector shall devolve upon and be performed by the county collector. Nothing herein shall affect the terms, duties or compensation of town collectors electors elected before the taking effect of this Act.

FILED June 28, 1917.

This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, it has thereby become a law.

Witness my hand this twenty-eighth day of June, A. D. 1917.

LOUIS L. EMMERSON, *Secretary of State*.

TOWNSHIP ROAD BONDS—VALIDATION.

§ 1. Road bonds—validation where legality of election proceedings questioned.

§ 2. Petition for submission of question—clerk to give notice—what to contain—meeting—resolution.

§ 3. Commissioners may issue refunding bonds.

(HOUSE BILL No. 148. APPROVED JUNE 11, 1917.)

AN ACT to provide for the validation of road bonds issued by any township in this State and to authorize the refunding of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where an election has been held in any township in this State for the purpose of voting on a proposition to borrow money to construct and maintain gravel, rock, macadam or other hard roads in such township, and a majority of voters voting at such election have voted in favor thereof, and where, pursuant to such election, bonds of the township have been issued in good faith and within the debt limitation prescribed by law, and the purchase price thereof has been received by the township; and where, subsequent to the issuance of such bonds, a question shall have arisen as to the legality of the election proceedings under which such bonds were voted,

such bonds may be ratified and validated in the manner hereinafter provided.

§ 2. Upon a petition signed by ten or more of the legal voters of the town addressed to the town clerk requesting the submission to the voters of such township, at the annual town meeting or at a special meeting called for that purpose, of the proposition to ratify and validate any such bonds theretofore issued by such township and specifying the date and amount of the bonds to be ratified; it shall be the duty of the town clerk to give notice of the submission of such proposition to the voters of the township at the next annual town meeting, or to call a special meeting for that purpose, as may be designated in the petition. Such notice shall state the time and place of the meeting and the proposition to be voted upon and shall be posted in at least five public places in the township not less than ten days previous to the meeting. At such meeting a resolution to ratify any such bonds previously issued by the township may be submitted describing in general terms the bonds proposed to be ratified and if a majority of the voters present and voting on the question shall vote in favor of such resolution, said bonds shall be deemed to be fully ratified, validated and confirmed and shall thereupon be and become legal and valid obligations of the township as of the date of their original issuance.

§ 3. That the commissioners of highways of the township are hereby authorized in their discretion to issue new bonds for the purpose of refunding and extending the time of payment of any indebtedness evidenced by bonds or coupons thereto attached, which may have been ratified pursuant to the provisions of this Act. Such refunding bonds shall not run more than fifteen years from date, shall bear interest not exceeding 5% per annum and shall be signed by the commissioners of highways and the town clerk.

APPROVED JUNE 11, 1917.

TOWNSHIPS WHOLLY WITHIN CITIES.

§ 1. Amends sections 1 and 2, Act of 1901.

§ 2. County clerk ex officio
town clerk—assessor—
treasure ex officio—col-
lector.

§ 1. Powers of board or auditor of township retained.

(HOUSE BILL NO. 761. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act concerning townships lying wholly within cities of more than 50,000 population," approved and in force May 11, 1901, as subsequently amended, by amending sections (1) and (2) thereof, so that the said sections when amended, shall read as follows:

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act concerning townships lying wholly within cities of more than 50,000 population," approved and in force May 11, 1901, as subsequently amended, be and the same is hereby amended by amending sections one (1) and two (2) thereof, so that the said sections when amended shall read as follows:

§ 1. That in all townships lying wholly within any city of more than 50,000 population all the powers vested in such townships shall be exercised by the county board of the county in which such townships respectively [respectively] are located, including all the powers vested in the town meetings and the board of auditors of such townships. *Provided, however,* that where there is but one township lying wholly within said city the powers of the board of auditors of such township shall be retained by the board of auditors of such township.

§ 2. The county clerk of such county in which such townships respectively lie shall be *ex officio* town clerk and township assessor of each of such townships, and the treasurer of the county shall be *ex officio* collector and supervisor of each of such townships; but such officers shall not be required to give any additional bond on account of holding such townships offices but they shall be liable on their official bonds for their acts as township officers in the same manner and to the same extent as if such bonds had been given such township officers.

APPROVED June 26, 1917.

TRANSFER OF SURPLUS FUNDS.

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| <p>§ 1. Legal voters of any town may by majority vote transfer town funds—resolution to specify estimate of probable charges against fund—special meeting may be called.</p> <p>§ 2. Duty of treasurer to pay funds when directed.</p> | <p>§ 3. Claims against surplus transferred valid and enforceable.</p> <p>§ 4. Invalidity of any portion not to affect entire Act.</p> <p>§ 5. Emergency.</p> |
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(HOUSE BILL NO. 852. APPROVED JUNE 26, 1917.)

AN ACT to authorize transfer of surplus town funds to other town funds or road and bridge funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the legal voters of any town at any annual town meeting or at a special town meeting called for that purpose may by written resolution by majority vote of the legal voters present and voting therefor transfer from one or more town funds to other or different town fund or funds, or to the general road and bridge fund, or to any fund raised by taxation or bonds upon all the property in said town for roads and bridges, the surplus of any fund or funds over and above an amount necessary to meet town charges and expenses of such town until the time of receiving revenue levied at the next annual town meeting, that such fund or funds so ordered transferred shall be transferred and paid into such other fund or funds, and shall be paid out on proper orders of officers authorized by law to expend such fund or funds: *Provided,* that any resolution, adopted as aforesaid, shall specify the estimated amount of the aforesaid proper and necessary charges and expenses of such town against said fund or funds, until the time of the receipt of revenue after the next annual town meeting, and the particular amount of surplus of such town fund or funds to be paid over as aforesaid, designating the particular fund or funds to be transferred to and paid into, and shall be submitted to said town meeting in writing, or reduced to writing, before any vote shall be taken thereon: *Provided, further,* whenever it is desired to submit such resolution at a

special town meeting, such special town meeting may be called when the supervisor, together with at least twenty-five voters of the town shall file with the town clerk a petition in writing, stating the purpose for which such special town meeting is to be called. Upon the filing of such petition, it shall be the duty of the town clerk to give notice of such special town meeting, to be held at the place of the last annual town meeting, in the same manner and for the same length of time as notice is required to be given of the annual town meeting; which notice shall state the object of such special meeting.

§ 2. That whenever the legal voters at such annual town meeting or at such special town meeting shall direct the transfer and payment of any surplus town fund or funds into some other town fund or funds or into the treasury of the road and bridge fund for road and bridge purposes, as provided by section 1 of this Act, it shall be the duty of the treasurer of the town fund or funds to pay such surplus funds, so directed to be paid, into such other town fund or funds or into the treasury and to the treasurer of the road and bridge fund, and take credit therefor.

§ 3. That whenever any such surplus town fund or funds shall be paid into the treasury of the road and bridge fund, or other town fund, as by this Act provided, any valid and enforceable claim that any individual, firm, or corporation may have to any part of the surplus funds so paid over, shall become and be a valid and enforceable claim against said town.

§ 4. That the invalidity of any portion of this Act shall not affect the validity of any portion thereof to which effect can be given without such invalid part.

§ 5. That, whereas an emergency exists, therefore this Act shall take effect and be in force from and after its passage and approval.

APPROVED June 26, 1917.

WEIGHTS AND MEASURES.

ACT OF 1913 AMENDED.

§ 1. Amends sections 12 and 13, adds new section 19a, Act of 1913.

§ 12. State Sealer—duties.

§ 13. Fees.

§ 19a. Unlawful to sell gasoline, etc., other than by standard measure — every mechanical liquid measuring device to be tested — penalties for using untested or incorrect liquid measuring devices.

(SENATE BILL NO. 331. APPROVED JUNE 26, 1917.)

AN ACT to amend an Act entitled, "An Act to revise the law in relation to weights and measures," approved June 27, 1913, in force July 1, 1913, by amending sections twelve (12) and fifteen (15) and by adding section nineteen-a (19a).

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the law in relation to weights and measures, approved June 27th, 1913, in force July 1, 1913, be and the same is hereby amended

by amending sections twelve (12) and fifteen and by adding a new section to be known as sections nineteen-a (19a), so that the said sections when amended and added shall read as inserted at length herein as follows:

§ 12. (a) The Department of Trade and Commerce shall have the care and custody of the authorized public standards of weights and measures, and shall be the State sealer. The Department of Trade and Commerce shall try and prove by the standards adopted, all weights and measures, scales and beams which may belong to any county, city or other municipal corporation and which may be sent or brought to the Department of Trade and Commerce for that purpose by the county sealer or by the sealer or inspector of weights and measures of any city or other municipal corporation. The Department of Trade and Commerce shall seal such weights and measures, scales and beams, when found to be correct, by stamping on them the letters "Ill." with a seal which the department shall have and keep for that purpose. The department shall also execute and deliver to such sealer and inspector of weights and measures, a certificate stating that such weights, measures, scales or beams are accurate.

The Department of Trade and Commerce shall, at least once annually, test all scales, weights and measures used in checking the receipt or disbursement of supplies in every institution under the jurisdiction of the Department of Public Works and Buildings, and the Department of Public Welfare, and in every institution under State control, using weights and measures, and report in writing to such departments and the executive officer of the institution concerned.

The Department of Trade and Commerce shall take charge of the standards adopted by this Act, as the standards of the State, and cause them to be kept in a safe and suitable place to be provided by the Secretary of State, from which they shall not be removed, except for repairs or for certification, and it shall take all other necessary precautions for their safe keeping. It shall maintain the State standards in good order and shall submit them at least once in ten years to the National Bureau of Standards for certification. It shall keep a complete record of the standards, balances and other apparatus belonging to the State.

The Department of Trade and Commerce shall, at least once in five years, try and prove by the official standards, all standard weights, measures and other apparatus which may belong to any county or city required to appoint a sealer and purchase and keep standards of weights and measures by the provisions of this Act, and shall seal such when found to be accurate, by stamping on them the letters "Ill." and the last two figures of the year with seals which shall be kept for that purpose.

§ 15. The Department of Trade and Commerce as State sealer, and each county and city sealer shall be entitled to receive and collect fees for service at and after the following rates:

For inspecting and sealing scales of the capacity 40,000 pounds and upwards, each.....	\$3.50
For inspecting and sealing scales of the capacity of 24,000 pounds up to 40,000 pounds, each.....	1.50

For inspecting and sealing scales of the capacity of 6,000 pounds up to 24,000 pounds, each.....	\$1.00
For inspecting and sealing scales of the capacity of 2,500 pounds up to 6,000 pounds, each.....	.50
For inspecting and sealing scales of the capacity of 240 pounds up to 2,500 pounds, each.....	.35
For inspecting and sealing scales of the capacity of 2 pounds up to 240 pounds, each.....	.20
For inspecting and sealing Hopper scales each,—.....	1.25
For inspecting and sealing two-bushel, one-bushel and one-half bushel measures, each.....	.05
For inspecting and sealing any other dry measure, each.....	.05
For inspecting and sealing every automatic weighing machine, or every instrument or device of a capacity of less than three [tone] tons used for weighing or measuring any person or animal, for hire or reward, each.....	.50
For inspecting and sealing liquid measures of the capacity of one gallon and upwards, each.....	.10
For inspecting and sealing any other liquid measures, each.....	.05
For inspecting and sealing yard measures, each.....	.05
For inspecting and sealing any linear measure, for each three feet..	.05
For inspecting and sealing any tape line exceeding 50 feet in length, each50
For inspecting and sealing any automatic machine used for lineal measuring, each50
For inspecting and sealing any automatic pump used for measuring gasoline, oils, etc., each50

They shall also be entitled to a reasonable compensation for making such weights and measures conform to the standard established by this Act: *Provided, however,* that no charge shall be made by the Department of Trade and Commerce for inspecting and sealing any weights, measures, scales, or beams which may belong to any county, city or other municipal corporation and which may be sent or brought to the Department of Trade and Commerce for that purpose by the county sealer or by the sealer or inspector of weights and measures of any city or other municipal corporation.

§ 19a. It shall be unlawful to sell or offer to sell any gasoline, naphtha, kerosene, wood alcohol or other oils or liquids used in producing light or heat or generating gas or power by any measure other than that provided in section five (5) hereof for liquids.

It shall be unlawful for any person, firm or corporation to use any automatic or mechanical pump or device for the purpose of measuring any liquid commodity to be sold or offered for sale unless such automatic or mechanical pump or device shall have been inspected and approved by the proper authority under this law. The owner or user of every automatic or mechanical pump or device, shall provide proper tested standard measures, and shall at least once each day, and always before commencing to use a new supply of liquid, test the accuracy of the pump or device in use. The Department of Trade and Commerce is authorized

to examine and inspect all automatic or mechanical devices used for the purpose of measuring any liquid commodity to be sold or offered for sale, and condemn for repairs or seize any such devices found to be inaccurate or incorrect. For examining and approving any such device the Department of Trade and Commerce may require the payment of a fee of fifty (50) cents.

Any person, firm or corporation using any such automatic or mechanical device without having obtained the certificate of approval as hereinbefore provided for, or any person using such automatic or mechanical device knowing the same to be incorrect or defective, shall, upon conviction, be fined not less than five (\$5.00) dollars, nor more than (\$500.00) dollars.

APPROVED June 26, 1917.

WILLS.

PROBATE—ACT OF 1897 AMENDED.

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| <p>§ 1. Amends section 1, and adds sections 2 and 3 to Act of 1897.</p> <p>§ 1. As amended, adds provision for appointment of guardian ad litem for minor heir — when unknown heir minor not to invalidate.</p> | <p>§ 3. Probate of certain wills legalized.</p> <p>§ 4. Emergency.</p> |
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(HOUSE BILL NO. 61. APPROVED JUNE 11, 1917.)

AN ACT to amend section 1 of and add sections 2 and 3 to an Act entitled, "An Act in relation to the probate of wills," approved June 3, 1897, in force July 1, 1897, as amended by Act approved June 8, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 1 of an Act entitled, "An Act in relation to the probate of wills, approved June 3, 1897, in force July 1, 1897 as amended by Act approved June 8, 1909, in force July 1, 1909, be and the same is hereby amended and sections 2 and 3 added so as to read as follows:

That before any will shall be admitted to probate the person desiring to have the same probated shall file a petition in the Probate Court of the proper county asking that said will be admitted to probate, which petition shall state the time and place of the death of the testator and the place of his residence at the time of his death, also the names of all the heirs-at-law, legatees and devisees with the place of residence of each, when known, and when unknown the petition shall so state, and the said petition shall be verified by the affidavit of the petitioner. And thereupon the clerk of said County Court shall send by mail to each of said parties a copy of said petition, within five days after the filing thereof, and not less than twenty days prior to the hearing on said petition. And in case the postoffice address of any of said parties is not shown by the said petition, then publication shall be made for at least three weeks before the day set for the hearing in a newspaper of general

circulation published in the county where said will is to be offered for probate, which publication notice shall contain the name of the testator, the heirs-at-law, legatees and devisees, when known, the time and place where said will is to be offered for probate: *Provided*, that in case such a petition is not filed and a will has been deposited in said County Court for the space of 10 days, then it shall be the duty of the County Court to proceed to probate said will without petition being filed, but only after having caused publication and notice of the intention to probate said will to be given to the parties in interest as to the court may seem proper: *And, provided further*, that if, on the presentation of such petition, all of the heirs and legatees of such testator shall personally appear in court or, in case they are of legal age and under no disability, shall file in writing their appearance and waiver of notice, then, such will may be admitted to probate without notice. If any heir, legatee or devisee shall be a minor the petition shall set forth the fact of such minority and a guardian *ad litem* shall be appointed by the court for such minor; in event there are unknown heirs, devisees and legatees and it shall appear after the probate of a will that any of said unknown heirs, devisees and legatees was a minor at the time of such will was admitted to probate, then the fact that no guardian *ad litem* for such minor was appointed shall not invalidate the probate of such will.

§ 2. All probate of wills declared before the taking effect of this Act, wherein an heir, legatee or devisee was a minor, and no guardian *ad litem* was appointed to represent such minor at or before the admission of such will to probate, be and they are hereby legalized to the same extent and purpose as if a guardian *ad litem* had been appointed to represent such minor.

§ 3. WHEREAS an emergency exists this Act shall take effect from and after its passage.

APPROVED June 11, 1917.

UNIFORM FOREIGN PROBATE ACT.

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| § 1. Wills probated outside of State may be recorded. | § 4. Where probate in other state or county not required. |
| § 2. Petition for filing hearing notice. | § 5. Repeal. |
| § 3. When proven must be admitted to probate—effect. | § 6. How Act interpreted and construed. |

(HOUSE BILL NO. 211. APPROVED JUNE 11, 1917.)

AN ACT providing for the probate in this State of probated foreign wills and to make uniform in that regard the laws of the states enacting the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a will duly proved, allowed and admitted to probate outside of this State, may be allowed and recorded in the proper court of any county in this State, in which the testator shall have left any estate.

§ 2. When a copy of the will and the probate thereof, duly authenticated, shall be presented by the executor or by any other person interested in the will, with a petition for probate, the same must be filed

and a time must be appointed for a hearing thereon and such notice must be given as required by law on a petition for the original probate of a domestic will.

§ 3. If upon the hearing, it appears to the satisfaction of the court that the will has been duly proved, allowed and admitted to probate outside of this State, and that it was executed according to the law of the place in which the same was made, or in which the testator was at the time domiciled, or in conformity with the laws of this State, it must be admitted to probate, which probate shall have the same force and effect as the original probate of a domestic will.

§ 4. When a duly authenticated copy of a will from any state or country where probate is not required by the laws of such state or country, with a duly authenticated certificate of the legal custodian of such original will that the same is a true copy, and that such will has become operative by the laws of such state or country, and when a copy of a notarial will in possession of a notary in a foreign state or country entitled to the custody thereof (the laws of which state or country require that such will remain in the custody of such notary), duly authenticated by such notary, is presented by the executor or other persons interested to the proper court in this State, such court shall appoint a time and place of hearing and notice thereof shall be given as in case of an original will presented for probate.

If it appears to the court that the instrument ought to be allowed in this State, as the last will and testament of the deceased, the copy, shall be filed and recorded, and the will shall have the same effect as if originally proved and allowed in the said court.

§ 5. All laws and parts of laws in conflict or inconsistent herewith be and the same are hereby repealed.

§ 6. This Act may be cited as the Uniform Foreign Probate Act, and shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

APPROVED June 11, 1917.

JOINT RESOLUTIONS.

ADJOURNMENT—JANUARY 4 TO JANUARY 8.

(House Joint Resolution No. 2.)

Resolved, by the House of Representatives, the Senate concurring herein,
That when the two Houses adjourn on Thursday, January 4th, they stand
adjourned until Monday, January 8, 1917, at 10:00 o'clock a. m.

Adopted by the House January 4, 1917.

Concurred in by the Senate January 4, 1917.

ADJOURNMENT—JANUARY 9 TO JANUARY 16.

(House Joint Resolution No. 3.)

Resolved, by the House of Representatives, the Senate concurring herein,
That when the two Houses adjourn on Tuesday, January 9th, they stand
adjourned until Tuesday, January 16, 1917, at 10:00 o'clock a. m.

Adopted by the House January 9, 1917.

Concurred in by the Senate January 9, 1917.

ADJOURNMENT—JANUARY 18 TO JANUARY 23.

(House Joint Resolution No. 4.)

Resolved, by the House of Representatives, the Senate concurring herein,
That when the two Houses adjourn on Thursday, January 18th, they stand
adjourned until Tuesday, January 23, 1917, at 10:00 o'clock a. m.

Adopted by the House January 18, 1917.

Concurred in by the Senate January 18, 1917.

ADJOURNMENT—JANUARY 25 TO JANUARY 30.

(Senate Joint Resolution No. 3.)

Resolved, by the Senate, the House of Representatives concurring herein,
That when the two Houses adjourn on Thursday, January 25, they stand
adjourned until Tuesday, January 30, 1917, at 10:00 o'clock a. m.

Adopted by the Senate January 25, 1917.

Concurred in by the House of Representatives January 25, 1917.

ADJOURNMENT FEBRUARY 1 TO FEBRUARY 6.

(Senate Joint Resolution No. 6.)

Resolved, by the Senate, the House of Representatives concurring herein,
That when the two Houses adjourn on Thursday, February 1st, they stand
adjourned until Tuesday, February 6th, 1917, at 10:00 o'clock a. m.

Adopted by the Senate February 1st, 1917.

Concurred in by the House of Representatives February 1, 1917.

ADJOURNMENT—FEBRUARY 9 TO FEBRUARY 13.

(House Joint Resolution No. 8.)

Resolved, by the House of Representatives, the Senate concurring herein,
That when the two Houses adjourn on Friday, February 9th, they stand
adjourned until Tuesday, February 13, 1917, at 10:00 o'clock a. m.

Adopted by the House February 8, 1917.

Concurred in by the Senate February 9, 1917.

ADJOURNMENT—FEBRUARY 21 TO FEBRUARY 28.

(Senate Joint Resolution No. 12.)

Resolved, by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Wednesday, February 21st, they stand adjourned until Wednesday, February 28th, 1917, at ten o'clock a. m.

Adopted by the Senate February 20, 1917.

Concurred in by the House of Representatives February 20th, 1917.

ADJOURNMENT—MARCH 2 TO MARCH 7.

(Senate Joint Resolution No. 13.)

50th General Assembly.

Resolved, by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Friday, March 2nd, they stand adjourned until Wednesday, March 7, 1917, at 10:00 o'clock a. m.

Adopted by the Senate February 28, 1917.

Concurred in by the House of Representatives March 1, 1917.

ADJOURNMENT—MAY 25 TO MAY 31.

(Senate Joint Resolution No. 26.)

Resolved, by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Friday, May 25, 1917, they stand adjourned until Thursday, May 31, 1917, at 10:00 o'clock a. m.

Adopted by the Senate May 22, 1917.

Concurred in by the House of Representatives May 23, 1917.

ADJOURNMENT—SINE DIE.

(Senate Joint Resolution No. 29.)

Resolved, by the Senate of the State of Illinois, the House of Representatives concurring therein, That when the two Houses adjourn on Saturday, June 16, 1917, a recess be taken until twelve o'clock noon, on Friday, June 29, 1917, for the purpose of considering only messages from the Governor on bills passed, by the General Assembly and that when the General Assembly adjourn on the twenty-ninth, that it stand adjourned *sine die*.

Further resolved, That when the Houses adjourn on June 16, 1917, all bills on the calendar of either House and in committees lie upon the table.

Adopted by the Senate June 16, 1917.

Concurred in by the House of Representatives June 16, 1917.

HON. JAMES A. M. AIKINS OF CANADA.

(House Joint Resolution No. 17.)

WHEREAS, The Right Hon. Sir. James A. M. Aikins, Lieutenant Governor of Manitoba, Canada, is present in the city and a guest of the Governor, therefore, be it

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the Hall of the House of Representatives at 11:30 o'clock a. m. to-day, and that a committee of five members on the part of the House, to be appointed by the Speaker of the House, and five members on the part of the Senate, to be appointed by the President of the Senate, be appointed to wait on the Governor and invite him to present his distinguished guest to the Joint Assembly.

Adopted by the House May 1, 1917.

Concurred in by the Senate May 1, 1917.

BIG MUDDY RIVER IMPROVEMENT.
(Senate Joint Resolution No. 25.)

WHEREAS, The matter of a navigable waterway from the coal fields of Southern Illinois to the Mississippi River has been under consideration for many years; and

WHEREAS, The counties of Franklin, Jackson, Williamson, Union, Jefferson, and Perry are rich in coal deposits; and

WHEREAS, The matter of transportation is of great importance in the distribution of the products of these coal fields; and

WHEREAS, The Big Muddy River and its branches pass through the richest coal region in the counties named, and to the Mississippi River therefrom, and if made navigable would furnish an excellent channel of transportation for the immense coal products of the region, thus augmenting the supply of coal, relieving the congestion of railroad travel and demand for coal cars, consequently tending to reduce the cost of this important item of current expense; and

WHEREAS, The River and Lake Commission of Illinois has made an investigation of the suitability of the Big Muddy as a transportation channel, and has recommended that some act be taken in the matter through a public report, published in Bulletin No. 19 February 19th, 1917; therefore be it

Resolved, by the Senate of the State of Illinois, the House of Representatives concurring therein, That the Department of Public Works and Buildings be, and it is directed, to carefully consider Bulletin No. 19 of the River and Lake Commission, to the end that the recommendations therein be carried into effect with respect to the "conservation, use and development" of this particular water resource of the State, at the earliest date practicable.

Adopted by the Senate May 22, 1917.

Concurred in by the House of Representatives June 12, 1917.

CANVAS ELECTION RETURNS—JOINT ASSEMBLY.
(House Joint Resolution No. 1.)

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the Hall of the House of Representatives, on Thursday the 4th day of January, A. D. 1917, at the hour of 10:30 o'clock a. m., for the purpose of canvassing the returns of the election for State officers, held on the 7th day of November, A. D. 1916, as required by the Constitution of this State.

Adopted by the House January 3, 1917.

Concurred in by the Senate January 3, 1917.

CENTENNIAL ADVISORY COMMITTEE.
(Senate Joint Resolution No. 30.)

Resolved, by the Senate, the House of Representatives concurring therein, That in conformity with the message of the Governor of Illinois, June 16, 1917, recommending the appointment of a joint committee of the General Assembly to unite with the Executive and Judicial Departments of the State in extending invitations to the President of the United States, governors of different states and other distinguished guests and to advise with the Centennial Commission upon matters pertaining to the celebration of the Centennial Anniversary of the Entrance of Illinois into the Union, that a joint committee composed of the President of the Senate, ten members from the Senate, to be named by the President of the Senate, the Speaker of the House, and ten members from the House, to be named by the Speaker of the House, be appointed to constitute such committee.

Adopted by the Senate June 16, 1917.

Concurred in by the House of Representatives June 16, 1917.

COMMISSION—FOR REVISION OF PRIMARY ELECTION LAWS.

(Senate Joint Resolution No. 27.)

Be it resolved, by the Senate of the State of Illinois, the House of Representatives concurring herein, That a non-partisan commission be appointed whose duty it shall be to formulate necessary legislation for the revision of the primary election laws and election laws of this State, and to report the same to any adjourned session of the Fiftieth General Assembly or to the first session of the Fifty-first General Assembly: Such commission shall consist of three members of the Senate, three members of the House of Representatives and three other voters of this State who are experienced in the practical operation of such existing laws, all members of which commission shall be appointed by the Governor.

Adopted by the Senate June 12, 1917.

Concurred in by the House of Representatives June 15, 1917.

COMMITTEES TO OFFICIALLY RECEIVE THE GOVERNOR AND INVITE STATE OFFICERS
TO JOINT SESSION.

(Senate Joint Resolution No. 7.)

Resolved, by the Senate, the House of Representatives concurring herein, That the two Houses meet in joint session on Tuesday, February 6th, 1917, at 11:00 o'clock a. m. in the Hall of the House of Representatives for the purpose of officially receiving the Governor of the State of Illinois.

Resolved, That a joint committee of five from each House be appointed to escort the Governor to the Hall of the House of Representatives and that a committee of three from each House be appointed to wait upon the other State officers and invite their attendance at said session and to escort them thereto.

Adopted by the Senate February 6, 1917.

Concurred in by the House of Representatives February 6th, 1917.

CONSTITUTIONAL CONVENTION.

(Senate Joint Resolution No. 1.)

50th General Assembly.

WHEREAS, The provisions of the Constitution of this State are in many respects inadequate to the present and prospective needs of the people; and

WHEREAS, By its provisions it is not possible to submit to the people a proposition to amend more than one article of the Constitution at the same time; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That a convention is necessary to revise, alter or amend the Constitution of this State, and that the question of the calling of such convention shall be submitted to the electors of this State at the next general election, as provided for in article 14 of the present Constitution.

Adopted by the Senate January 24, 1917.

Concurred in by the House of Representatives March 14, 1917.

DAYLIGHT MEMORIAL TO CONGRESS.

(House Joint Resolution No. 20.)

WHEREAS, Great economy will result from the plan of beginning each active day earlier during the spring and summer of each year; and

WHEREAS, Such an earlier day for active work will save very greatly not only in health but also in the cost of fuel and light; and

WHEREAS, Substantially all of the great nations of Europe have for these reasons adopted the policy of setting forward by one hour the standard time employed in the spring and summer months; now, therefore, be it

Resolved, by the House of Representatives of the State of Illinois, the Senate of this State concurring herein, That the plan commonly known as

daylight saving, should be adopted in this State and that the two Houses of the Illinois General Assembly place themselves upon record as in favor of the adoption of such a plan for this State; and, be it further

Resolved, That we approve of the proposed legislation now before the Congress of the United States for the accomplishment of the same purpose, and urge the United States Senators and members of the House of Representatives from this State to support such proposed legislation; and, be it further

Resolved, That the Secretary of State of this State be requested to send copies of this resolution to the Representatives of this State in the Senate and House of Representatives of the United States.

Adopted by the House May 24, 1917.

Concurred in by the Senate May 29, 1917.

DEATH OF W. A. NORTHCOTT.

(Senate Joint Resolution No. 4.)

WHEREAS, We have learned with deep regret that a former presiding officer of this State, Honorable W. A. Northcott, departed this life this 25th day of January, 1917, at Excelsior Springs, Missouri.

AND, WHEREAS, Lieutenant Governor Northcott has for many years been a prominent figure in the public affairs of the State, and has always stood for the things that were right and has been the friend of humanity.

AND, WHEREAS, As the presiding officer of the Senate and in all his public and private life, his conduct toward those with whom he agreed and with whom he disagreed has been such as to endear him to all those with whom it came in contact.

Therefore be it resolved, by the Senate, the House of Representatives concurring herein, That in the death of Lieutenant Governor Northcott, this General Assembly realizes that a great loss has come to the State of Illinois, and to the public interests with which he was associated, as well as to the bereaved family who will ever mourn their loss.

Resolved, further, That the sincere sympathy of the Fiftieth General Assembly of the State of Illinois be and the same is hereby extended to the bereaved widow and family of our distinguished citizen.

Resolved, That a joint committee of eighteen (18) be appointed to attend the funeral, said committee to consist of nine (9) on the part of the Senate and nine (9) on the part of the House of Representatives, and that said committees are hereby authorized to prepare suitable joint resolutions of condolence and sympathy, which resolutions, when prepared, shall be presented first in the Senate; and be it further

Resolved, That these resolutions be spread upon the records of the Senate and the House of Representatives, and that a copy thereof duly authenticated be forwarded by the Secretary of the Senate to the bereaved widow and family of the deceased.

Adopted by the Senate, January 25, 1917.

Concurred in by the House of Representatives, January 25, 1917

DEATH OF JAMES D. PUTNAM.

(House Joint Resolution No. 9.)

WHEREAS, We have heard with deep regret that our fellow member, Hon. James D. Putnam, departed this life the 13th day of February, A. D. 1917, at Peoria, Illinois; and

WHEREAS, The deceased, as a member of the House and in his work on the important Committees of Judiciary, Education, Judicial Department and Practice, Waterways and Revenue, at this session of the General Assembly, has exercised the highest qualities of intelligence, industry and legislative equipment, and from his legislative experience had easily become one of the leaders of the House; and

WHEREAS, The deceased, in his former service in the Illinois State Senate and in all of his public service, has always stood for the things that were right and has always been the friend of humanity; and

WHEREAS, In the loss of our esteemed member we feel, as separate bodies and as individual members, that we have lost a friend and brother, and that in all his public and private life his conduct toward those with whom he agreed and toward those with whom he disagreed, has been such as to endear him to all those with whom he came in contact; therefore, be it

Resolved, by the House of Representatives, the Senate concurring herein, That in the death of Hon. James D. Putnam, the General Assembly realizes that a great loss has come to it and to the public interests with which he was associated, as well as to the bereaved family who will ever mourn their loss.

Resolved, further, That the sincere sympathy of the Fiftieth General Assembly of the State of Illinois be, and the same is hereby, extended to the bereaved widow and family of our distinguished fellow member.

Resolved, That the flag on the Capitol building be lowered to half mast for two days after the adoption of these resolutions.

Resolved, That a joint committee of ten be appointed to attend the funeral, said committee to consist of five members on the part of the House of Representatives and five members on the part of the Senate, and that said committee is hereby authorized to prepare suitable joint resolutions of condolence and sympathy, which resolutions, when prepared, shall be presented first to the House.

Adopted by the House February 14, 1917.

Concurred in by the Senate February 14, 1917.

INVITATION TO REPRESENTATIVES OF FRANCE AND GREAT BRITAIN TO VISIT SPRINGFIELD.

(Senate Joint Resolution No. 23.)

WHEREAS, Distinguished representatives of France and Great Britain are now visiting the United States; and

WHEREAS: Springfield was the home and is the last resting place of the world renowned statesman and humanitarian, Abraham Lincoln, and is the capital city of the great commonwealth of Illinois;

Be it resolved: by the Senate of the State of Illinois, the House of Representatives concurring herein, That an invitation be extended to the representatives of France and Great Britain now upon a mission in the United States, and that they be urged to visit Springfield during their stay in the United States;

Resolved, further: That a joint committee of the Senate and the House be selected; the members of such committee from the Senate to be named by the President of the Senate, and those of the House to be named by the Speaker of the House, to extend this invitation and to arrange for the reception of the distinguished foreign representatives in the event of the acceptance of this invitation.

Adopted by the Senate, May 1, 1917.

Concurred in by the House of Representatives, May 1, 1917.

JOINT RULES OF THE HOUSE AND SENATE.

(House Joint Resolution No. 12.)

Resolved, by the House of Representatives, the Senate concurring herein, that the following be adopted as the joint rules of the House of Representatives and the Senate, of the Fiftieth General Assembly:

JOINT RULES OF THE HOUSE AND SENATE.

1. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

2. The same ceremony shall be observed when messages shall be sent from the House of Representatives to the Senate.

3. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

4. In every case of disagreement between the two Houses, if either House request a conference, and appoint a committee for that purpose, the other House shall appoint a committee to confer therewith upon the subject of their disagreement. Said committee shall meet at a convenient time to be agreed upon by their chairman, and, having conferred freely, each shall report to its respective House the result of their conference. In case of an agreement the report shall be first made, with the papers referred accompanying it, to the disagreeing House, and there acted upon; and such action shall be immediately reported by the Clerk to the other House, the papers referred accompanying the message. In case of disagreement, the papers shall remain with the House which referred them. The agreeing report of a conference committee shall be made, read and signed in duplicate by all members of the committee, or by a majority of those of each House, one of the duplicates being retained by the committee of each House. Should either House disagree to the report of the committee, such House shall appoint a second committee and request a second conference, which shall be acceded to by the other House before adhering. The motion for a committee of conference, and the report of such committee, shall be in order at any time. When both Houses shall have adhered to their disagreement, a bill or resolution is lost.

5. While bills are on their passage between the two Houses they shall be accompanied by a message signed by the Secretary or Clerk (as the case may be) respectively.

6. After a bill has passed both Houses, it shall be enrolled before it is presented to the Governor.

7. When bills are enrolled, they shall be examined by a joint committee, which shall consist of five members, two from the Senate and three from the House, to be appointed by the Senate and the Speaker of the House respectively. The clerk of the Committee on Engrossed and Enrolled Bills of the respective Houses shall act as clerk of the committee whenever their services are required. Said committee shall carefully compare the enrolled bills with the engrossed bills, so passed by both Houses, correct any errors which may be discovered in the enrolled bills, and make their report forthwith to their respective Houses; the Secretary or Clerk having previously certified on the margin of the roll in which House it originated.

8. After examination and report, each bill shall be signed in the respective Houses, by the Speaker of the House of Representatives and by the President of the Senate.

9. After a bill shall have been signed by the President of the Senate and Speaker of the House of Representatives, it shall be presented by said Joint Committee to the Governor for his approval. The said committee shall report the day of presentation to the Governor to each House, which time shall be carefully entered on the Journals of each House.

10. All resolutions and memorials which are to be presented to the Governor shall be previously enrolled, examined, signed and presented to the Joint Committee, reported, and entry made thereof, as provided in case of bills.

11. When a bill or resolution which shall have passed one House is rejected in the other, information thereof shall be given to the House in which the same shall have passed.

12. When the consideration of any bill, memorial, or resolution, which has originated in one House shall be postponed in the other to a day so distant that it shall not be taken up again by the present session, the House in which such bill, memorial or resolution shall have originated shall be forthwith informed of such postponement.

13. When a bill, memorial or resolution which has passed one House is rejected in the other, it shall not again be introduced during the same

session, except in the House so rejecting, and after three days' notice and leave of that House.

14. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

15. While the two Houses are acting together upon elections, or on any other matter, the Speaker shall preside, and all questions of order shall be decided by him, subject to an appeal to both Houses, as though but one body was in session. A call of members of either House may be had in joint meeting by order of the House in which the call is desired, and to constitute a quorum of the joint assembly, a majority of all the members elected to both Houses shall be present and voting.

16. Motions to postpone or adjourn shall be decided by a joint vote of both Houses, and yeas and nays upon such motions, if required, shall be entered upon the Journals of both Houses.

17. Upon questions arising requiring the separate decision of either House, the Senate shall withdraw until the decision is made. *Provided*, that questions upon motions for a call of either House shall not come within the provisions of this rule.

18. Each House shall have the liberty of ordering the printing of bills, messages and reports without the consent of the other.

19. Whenever any message, bill, report or document shall be ordered to be printed by the Senate or House, for the use of both Houses, it shall be the duty of the Secretary of the Senate or Clerk of the House (as the case may be) immediately to report the fact of the passage of such order to the other branch of the General Assembly, together with the number so ordered to be printed in case the same shall exceed 300.

Adopted by the House March 22, 1917.

Concurred in by the Senate March 27, 1917.

MEMORIAL TO CONGRESS—FREEDOM OF POLAND AND IRELAND.

(House Joint Resolution No. 19.)

WHEREAS, A war between the powers of Europe and their dependencies has been waging for almost three full years. Millions of men, the flower of the manhood of the Old World, have given up their lives that their countries might continue to be reckoned among the nations of the earth. The blood of every race and every creed has intermingled in drenching the soil of Europe. Millions of lives have been lost and billions of treasure have been [spent.] spend When the end of the conflict shall come, no one can foretell, but when it shall come it is the earnest desire of all lovers of liberty that this conflict shall not have been waged in vain; and

WHEREAS, Much difference of opinion exists as to the causes of this conflict between the statesmen of the contending powers, but whether the causes of this war are commercial or racial, the President of the United States, the spokesman for our nation, has proclaimed upon the occasion of our country's entry therein, that this is a war for the preservation of democracy and for the abolition of autocracy; that each race and each nation, whether a small principality or a vast empire, has the right to exist and grow in usefulness to a world according to its hopes and aspirations; and

WHEREAS, The people who inhabit Europe sprang from one common ancestral stock, but before each left its ancestral home in Asia, this common stock has divided into four great families, viz: The Celts, the Greeco-[Graeco] Romans, the Teutons and Slavonian, and each in the order named emigrated westward over the continent of Europe and founded the great nations of Europe that have existed in the past and those that exist at the present day. Each of these great families was endowed with individual characteristics and temperament and each had a different language and literature. The forcible imposition of foreign ideas, ideals, language and literature upon a people can do nothing less than stunt the mind and intellect of such a people and hinder or prevent its progress; and

WHEREAS, The ancient kingdoms of Ireland and Poland were among the first great nations of Europe. Each established a language, literature and government of its own long before any of the present nations of Europe came into being. The people of Poland belong to the Slavonian race, and their nation stretched from the Black to the Baltic Seas, across the continent of Europe. But by force, its government was destroyed and its territory absorbed by less enlightened and less scrupulous adjoining nations and its people brought into subjection without their consent. But the brave Pole has never willingly submitted to foreign domination and his country has nothing in common with the governments and peoples of the nations who dominate over him. The people of Ireland belong to the Celtic race and have maintained their distinction from all other peoples for more than sixteen hundred years. When this distinct race established itself no historian has presumed to relate for its beginning is buried in the shades of the centuries long past. The people of Ireland worked out their own salvation independent of all the other people of Europe. They were pioneers in elevating man from the savage state to as great a degree as were the Greeks and Romans. They worked out a language and literature of their own, which bears no resemblance to any other language and literature of Europe, and we have it from the great modern scholars of Europe that the language, and literature of these people sprang from the oldest world language, the Sanscrit. They founded a government of their own and their government was not the government of one man, but was a representative government. The assembly, made up of representatives of the people that met at Tara every three years to make laws for the government of the people, was the first representative government in western Europe; and

WHEREAS, Although Ireland and Poland have been by might and without their consent deprived of their right of self-government, yet the spirit of independence is still fondly cherished and will live forever in the hearts of their people. A foreign power can never subdue a people that has established a language, literature and government and maintained them through succeeding centuries. Peace and tranquility can be maintained amongst such a people only by restoring to them their rights; therefore be it

Resolved, by the House of Representatives of the State of Illinois, the State Senate concurring herein, That Ireland and Poland are of right entitled to self-government and to the restoration of all the rights of which they have been deprived, and that it is the duty of the political powers dominating those countries to concede self-government and the restoration of such rights without further delay; and be it further

Resolved, That the President of the United States and the Federal Congress be and they hereby are urged to exert all legitimate influence at their command to effect the granting of self-government and the restoration of their rights to Ireland and Poland; and be it further

Resolved, That the members of the United States Senate and of the House of Representatives of the United States from the State of Illinois, be and they are hereby urged to exercise every legitimate effort for the purpose of securing action on the part of the United States with the end in view of assuring to Ireland and Poland self-government and the restoration of their rights; and be it further

Resolved, That the Secretary of the State of Illinois be, and he hereby is, instructed to forward authenticated copies of these resolutions to the President of the United States and the United States Senators and members of the House of Representatives from the State of Illinois.

Adopted by the House May 8, 1917.

Concurred in by the Senate, May 16, 1917.

MILITARY PREPAREDNESS.
(Senate Joint Resolution No. 16.)
50th General Assembly.

WHEREAS: It is essential that the United States of America, as one of the foremost nations of the world, should be prepared at all times to defend

itself against attacks by hostile forces, to protect its citizens in the exercise of their just rights and privileges, and to prevent unwarranted curtailment or restriction of such rights and privileges; and

WHEREAS: The organization, in an emergency, of an army of untrained civilians to repel an invasion or to vindicate the nation's just rights or those of its citizens, works a great and severe hardship on such civilians in that they, without sufficient military training, may be called upon to meet a hostile army, highly trained and efficient in the art of making war; and

WHEREAS: A system of universal military training will not only prepare the citizens of this nation for efficient service in the event of war, but when properly administered, will promote the beneficial physical development of those subject to such training and will instill in the citizens of our country a sense of democracy, patriotism, discipline and responsibility to duty; and,

WHEREAS: The want or lack of such a system of universal military training may result in disaster to our country; now, therefore,

Be it resolved: by the Senate of the State of Illinois, the House of Representatives concurring therein, That the General Assembly of the State of Illinois, is in accord with and favors the principle of universal military training and requests our Senators and Representatives in Congress to employ every effort to secure the enactment by Congress of a law establishing in the United States of America a system of universal and compulsory military training, and that copies of this resolution be transmitted to our Senators and Representatives in Congress by the Secretary of State under seal of the State.

Adopted by the Senate March 27, 1917,

Concurred in by the House of Representatives April 5, 1917.

OFFICERS AND COMMITTEE ROOM—KEPT AND PRESERVED INTACT.
(House Joint Resolution No. 25.)

WHEREAS, Certain rooms have been appropriately furnished and remodeled during this session of the General Assembly for the exclusive use of the officers and committees of the House and Senate; therefore, be it

Resolved, by the House of Representatives of the State of Illinois, the Senate concurring herein, That the Secretary of State be, and he is hereby, directed to keep and preserve intact and undisturbed in every respect, after the adjournment of the Fiftieth General Assembly and until the convening of the Fifty-first General Assembly, the offices of the Speaker and Clerk of the House of Representatives and the Secretary of the Senate and the rooms occupied by the respective Committees on Appropriations of the House and Senate; and that the use and occupancy of the said offices and rooms shall not be permitted by any persons other than the respective officers above referred to and the Committees on Appropriations of the House and Senate; and if necessity arises for temporary use of any of the other committee rooms of either the House or Senate, the Secretary of State shall first obtain permission of the respective presiding officer of the House or Senate for the temporary use of such room or rooms.

Adopted by the House, June 29, 1917.

Concurred in by the Senate, June 29, 1917.

PLEDGE OF SUPPORT TO FEDERAL GOVERNMENT IN WAR WITH GERMANY.
(Senate Joint Resolution No. 8.)

WHEREAS, Diplomatic relations with the German Empire have been terminated by the action of our Government at Washington.

Therefore, be it resolved by the Senate of the State of Illinois, the House of Representatives concurring herein, That we pledge ourselves as representatives of the people of the State of Illinois to support the Government of the United States in maintaining the honor and dignity of our country, and that a copy of these resolutions be transmitted to the President of the United States.

Adopted by the Senate February 6, 1917.

Concurred in by the House of Representatives, February 6, 1917.

POLLUTION OF THE WATERS OF LAKE MICHIGAN.

(Senate Joint Resolution No. 22.)

WHEREAS: The waters of Lake Michigan are being polluted by reason of the drainage into said lake of the sewage of the city of Chicago and certain cities in the State of Indiana; and

WHEREAS: Such pollution of the waters of Lake Michigan affects both the State of Illinois and the state of Indiana; and

WHEREAS: The organization of the Sanitary District of Chicago—including the construction of the Chicago Drainage Canal—at a cost of more than eighty-six million dollars (\$86,000,000), and the construction of the Sag and other canals, have failed to afford relief; and

WHEREAS: The solution of the problem presented by such pollution of the waters of Lake Michigan necessitates the co-operation of the United States and the States of Illinois and Indiana; and

WHEREAS: The necessity for the co-operation of the United States with the States of Illinois and Indiana should be laid before the Congress of the United States; now therefore

Be it resolved: by the Senate, the House of Representatives concurring therein That a committee of three Senators and three members of the House of Representatives be forthwith appointed by the Senate and the Speaker of the House of Representatives, respectively, to inquire into the problem of the pollution of the waters of Lake Michigan, the need for legislation and the necessity for co-operation between the United States and the States of Illinois and Indiana and to acquire all available information concerning such problem. Such committee shall have the power to subpoena and compel the attendance of witnesses and to compel the production of all necessary papers and documents. Before the adjournment *sine die* of the Fiftieth General Assembly, said committee shall report thereto the results of its investigations, together with such recommendations, as it may deem proper to make.

Adopted by the Senate May 2, 1917.

Concurred in by the House of Representatives June 15, 1917.

RECEIVING GOVERNOR—JOINT SESSION.

(House Joint Resolution No. 23.)

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the Hall of the House of Representatives on Saturday, June 16, 1917, at 11:00 o'clock p. m., for the purpose of meeting the Governor, Hon. Frank O. Lowden, and receiving from him such message as he may have to communicate to the General Assembly before final adjournment.

Adopted by the House June 16, 1917.

Concurred in by the Senate June 16, 1917.

REPRESENTATIVES FRENCH GOVERNMENT.

(House Joint Resolution No. 18.)

WHEREAS, The distinguished representatives of the French Government, now in this country, in their tour of the middle west, will visit the city of Springfield on Monday, May 7, 1917; and

WHEREAS, The General Assembly is desirous of extending to them the welcome and hospitality of the People of the State of Illinois; therefore be it

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the Hall of the House of Representatives at 2:00 o'clock p. m., on Monday, May 7, 1917, for the purpose of officially receiving the distinguished visitors.

Adopted by the House May 4, 1917.

Concurred in by the Senate May 7, 1917.

UNITED STATES OF AMERICA, }
STATE OF ILLINOIS. } **ss.**

OFFICE OF THE SECRETARY OF STATE.

I, Louis L. Emmerson, Secretary of State of the State of Illinois, do hereby certify that the foregoing Acts and Joint Resolutions of the Fiftieth General Assembly of the State of Illinois, passed and adopted at the regular biennial session thereof, are true and correct copies of the original Acts and Joint Resolutions now on file in the office of the Secretary of State, save and except such words, letters and figures as are printed in brackets, thus: [].

[SEAL.] IN WITNESS WHEREOF, I hereto set my hand and affix the
Great Seal of the State of Illinois, at the city of Springfield, this 23rd day of July, A. D. 1917.

LOUIS L. EMMERSON,
Secretary of State.

INDEX.

	PAGE.
ABSENT VOTERS—general, special and primary elections.....	434
military service	440
ACADEMY OF SCIENCE—appropriation.....	54
ACCIDENTS AND SICKNESS—to be investigated by commission.....	488
ADJUTANT GENERAL—appropriation, ordinary and contingent.....	187
ADMINISTRATION OF ESTATES—probate of wills.....	799, 800
publication of notice.....	1
real estate of decedents, notice of proceedings to sell.....	1
ADMINISTRATION OF STATE GOVERNMENT.....	2
AGRICULTURE—cold storage, regulation of.....	648
county advisors	85
county fairs and societies, appropriation.....	53
department of, appropriation.....	169
drainage for agricultural and sanitary purposes, see "Drainage."	
farmers' institutes, appropriation.....	54
insect pests, introduction and dissemination prohibited.....	37
state board, appropriation for general expenses and buildings.....	54
ALLEN, EDMUND M.—appropriation.....	147
ALTON STATE HOSPITAL—appropriation.....	67
plans	222
AMERICAN MISSIONARY ASSOCIATION—appropriation.....	142
ANDERSON, LOUIS B.—appropriation.....	77
ANDRUS & TRUTTER—appropriation.....	86, 88
ANIMALS AND BIRDS—damages to sheep owners, paid from dog license fees....	50
dogs, damage to sheep, liability.....	53
stallions and jacks, public service regulated.....	47
lien for service.....	44
ANNA STATE HOSPITAL—appropriation.....	67
ANONYMOUS PUBLICATIONS—relative to candidates.....	456
APPEALS—see "Recognizances."	
APPEL, AMELIA—appropriation	78
APPELLATE COURT—appropriation	168
clerks and judges of.....	323
APPOINTMENTS—board of education, cities over 100,000 by mayor.....	723
board of education, cities over 45,000 by mayor.....	721
Canada thistle commission.....	216
general assembly, officers and employees.....	530
Illinois pension laws commission.....	641
master in chancery, special.....	578
state council of defense.....	153
state's attorney, assistant.....	526
APPROPRIATIONS—academy of science, state.....	54
adjutant general	187
agriculture, county fairs and societies.....	54
department of	169
farmers' institutes, state and county.....	54
state board, general expenses.....	54
aid cyclone sufferers.....	126
Alton state hospital.....	67
Anna state hospital.....	67

APPROPRIATIONS—Continued.	PAGE.
Appellate courts	168
armories, completion	115, 116, 150
arsenal, state	143
Attorney General, additional.....	61
ordinary and contingent.....	166
Auditor of Public Accounts, deficiency.....	63
ordinary and contingent.....	162
barbers, state board of examiners.....	64
bee-keepers' association	54
bridges, state property, Will county.....	65
centennial commission	106
centennial memorial building.....	66
Central Union Telephone Company, services.....	190
charitable eye and ear infirmary.....	71, 74
charitable, state institutions, ordinary and contingent.....	67
deficiency	64
Chester state hospital.....	67
Chicago state hospital.....	65, 67
civil service commission.....	188
Clerk of Supreme Court.....	167
commission to investigate sickness and accident of persons not under workmen's compensation act.....	488
county agricultural advisors.....	85
dairymen's association	54
deaf, blind and delinquent children.....	189
dental examiners, state board, deficiency.....	152
deficiency, per diem of members.....	153
Eastern Illinois normal, Charleston.....	93
educational, normal schools, ordinary and special.....	92
Elgin state hospital.....	67
finance, department of.....	168
firemen's association	54
foot and mouth disease, suppression.....	171
free employment offices.....	172
game and fish conservation commission.....	100
General Assembly, committee expenses of 50th.....	101
committee expenses of 51st.....	168
election contests of 50th.....	86
employes of 50th.....	106
incidentals of 50th.....	105
incidentals of 51st.....	168
members of 51st and state officers.....	101
grand army hall and memorial.....	54
of the republic.....	54
historical library, state.....	188
horticultural society, state.....	54
industrial home for the blind.....	65, 70
industrial survey	519
Jacksonville state hospital.....	67
judges of city courts, salaries.....	107
Kankakee state hospital.....	67
labor, department of.....	172
legislative reference bureau.....	108
Lieutenant Governor	159
Lincoln state school and colony.....	67
live stock breeders' association.....	54
local improvements, Jacksonville.....	108
Springfield	110, 148
mines and minerals, department of.....	174
mining investigation commission.....	599

APPROPRIATIONS—Continued.

	PAGE.
monuments, Grant, General U. S., and others at Vicksburg.....	112
Gant, General U. S., at Vicksburg, unexpended balance.....	111
Oglesby, Richard J.....	110
national guard, appropriation, deficiency.....	114
ordinary and contingent.....	113
mobilization of	114
unexpended balance	150
naval militia, appropriation, ordinary and contingent.....	113
mobilization	114
naval reserve, deficiency.....	114
Northern Illinois normal, DeKalb.....	96
ornamental lights, Springfield.....	148
penal institutions	118
penitentiaries, building commission.....	188
maintenance, deficiency	116
southern, Menard, deficiency.....	117, 197
state, Joliet, salary officers and former officers.....	146
deficiency	117, 197
pension laws commission.....	107
Peoria state hospital.....	67
restore building	76
portrait, Barratt O'Hara.....	124
Edward F. Dunne.....	125
poultry association, state.....	54
presidential electors, mileage of.....	100
public health, department of.....	181
public welfare, department of.....	179
public works and buildings, department of.....	175
reformatory, state, Pontiac.....	121
conveying offenders to.....	85
deficiency	117
registration and education, department of.....	185
relief, Allen, Edmund M., salary.....	147
American Missionary Ass'n., refund of inheritance tax.....	142
Andalman, Samuel J., services.....	87
Anderson, Louis B., injuries.....	77
Andrus and Trutter, services.....	86, 88
Appel, Amelia, death.....	78
Atkinson, Thomas L., salary.....	141
Baker, Eliza, salary of husband.....	79
Balsley, Charles, injuries.....	81
Barnard and Miller, printing.....	142
Berg, Simon, injuries.....	79
Broadbent, T. A., expenses.....	141
Brock, George W., salary.....	147
Burley, Clarence A., refund of inheritance tax.....	139, 142
Burns, Frank J., services.....	79
Cain, Hugh, injuries.....	81
Carpenter, Augustus Albert, refund of inheritance tax.....	138
Case, Mary C., refund of inheritance tax.....	138
Central Union Telephone Company, services.....	190
Chambers, Michael, damages.....	142
Charleston, city of, services.....	142
Chicago & Alton Railroad Company, demurrage.....	139
Clarke, Corinne I., refund of inheritance tax.....	138
Clarke, Dumont Jr., refund of inheritance tax.....	139
Clarke, E. Stanley, refund of inheritance tax.....	139
Clarke, Juliette E., refund of inheritance tax.....	139
Clarke, Lewis L., refund of inheritance tax.....	139

APPROPRIATIONS—Continued.
relief—continued.

PAGE.

Coffey, John J., salary.....	81
Coughlan, Timothy E., refund of inheritance tax.....	138
Cox, N. W., salary.....	81
Creighton, James A., executrix of, salary.....	128
Crumbly, Rev. P., salary.....	147
Cummings, Mary A., refund of inheritance tax.....	141
Cuyler, Thomas DeWitt, refund of inheritance tax.....	142
Davy, Mary, death.....	79
Deane, David, injuries.....	78
Dempsey, Gideon M., expenses.....	141
Dennett, Carl P., refund of inheritance tax.....	142
destitute miners at Royalton.....	127
Dows, Tracy, refund of inheritance tax.....	142
Drennan, Roscoe L., damages.....	82
Eaton, Edward W., refund of inheritance tax.....	140
English Brothers, refund on building contract.....	141
Erickson, P. A., salary.....	147
Faltz, Charles W., salary.....	146
Fisher and Norty, refund of corporation fees.....	190
Fleming, D. C., salary.....	147
Fleury, A. D., death.....	82
Gaines, Marie D., expenses.....	141
Gardiner, Charlotte G., refund of inheritance tax.....	140
Gassneck, Ethel B., refund of inheritance tax.....	140
Giblin, Patrick H., injuries.....	143
Gillett, Fred H., injuries.....	82
Glass, Sydney, injuries.....	78
Grant, Fred, injuries.....	78
Griffin, George F., refund of inheritance tax.....	142
Gurley, Lewis, damages.....	81
Hale, William B., refund of inheritance tax.....	140
Hayes, M., services.....	82
Hazell, E. F., salary.....	80
Heitler, Michael, expenses.....	138
Henke, Henry, injuries.....	78
Hill and Hill, refund of corporation fees.....	190
Hill, Frank N., injuries.....	78
Hoe, Richard M., refund of inheritance tax.....	142
Hogan, Thomas S., services.....	79
Holmes, Andrew, expenses.....	79
Howarth, Earl G., injuries.....	141
Huening, John, salary.....	80
Hyatt, O. H., refund of corporation fees.....	190
Johnson, A. G., services.....	82
Joos, William T., damages.....	81
Kennedy, William, expenses.....	78
Kistner, Harry W., death.....	79
Klick, Jacob E., refund of inheritance tax.....	140
Koechley, Anthony, salary.....	80
Lechleiter, Katharine S., refund of corporation fees.....	138
Looney, W. W., injuries.....	78
Lozza, Clara Darin, damages.....	140
Luquer, Thatcher T. P., refund of inheritance tax.....	142
McGlenn, Frank W., death.....	78
McGrath, James J., salary.....	146
McGuire, Thomas, services.....	140
McMurray, Mary Bince, injuries.....	81
Merchants Loan & Trust Co., refund of inheritance tax.....	138
Metzger, Emma, refund of inheritance tax.....	138
Michigan Boulevard Building Co., rent.....	142

APPROPRIATIONS—Continued.

PAGE.

relief—concluded.

Mitchell, James L., refund of inheritance tax.....	142
Northern Trust Company, refund of inheritance tax.....	139, 140
O'Connor, C. F., salary.....	80
O'Neill, Charles W., services.....	141
Patrick, Rev. A. J., salary.....	147
Pease, Edwin H., refund of inheritance tax.....	140
Pruyn, T. C. P., salary.....	80
Pulver, George Marsh, refund of inheritance tax.....	139
Pulver, Irving Loveridge, refund of inheritance tax.....	139
Putnam, Eva, salary James D. Putnam.....	128
Redfield, Alice C., refund of inheritance tax.....	139
Rodgers, C. M., salary.....	147
Rutter, David Company, services.....	140
Ryan, Lawrence, salary.....	147
Samuels and Samuels, refund of corporation fees.....	190
Sawyer, Amos, salary.....	81
Schmidt, J. F. Bros. Co., amount due on building contract.....	138
Seifert, Dr. O. H., expenses.....	141
Shaughnessey, James and Lillian, death of child.....	79
Sidley, William P., refund of inheritance tax.....	140
Skoog, Julius C., services.....	141
Smith, B. A., salary.....	80
Smith, Fred W., refund of inheritance tax.....	142
Smith, Hal C., injuries.....	141
Starr, Merritt, expenses.....	142
Stautz, William T., damages.....	140
Sullivan, F. J.....	147
Sutter, Mary, damages.....	140
Swan, Thomas W., refund of inheritance tax.....	140
Tapley, Alice P., refund of inheritance tax.....	140
Taylor, Jessie M., refund of inheritance tax.....	140
Thies, Albert, injuries.....	77
Tilton, Ralph R., salary.....	146
United States Trust Company of New York, refund of inheritance tax.....	142
Venner, James Kent, death.....	82
Wade, Marian A., refund of inheritance tax.....	140
Walsh Construction Company, services.....	142
Walsh, William, salary.....	147
Warfel, Eugene, injuries.....	142
Watkins, Oscar S., injuries.....	81
Weis, Fred C., services.....	141
Weller, Herman, refund of inheritance tax.....	140
Western Grain Products Co., license fee.....	138
Western United Gas & Electric Co., refund of license fee.....	140
Whalen, W. F., salary.....	80
Whipple, Henry L., salary.....	80
Wilkinson, W. M., services.....	142
Will, County of, expenses.....	140
Willett, A. T. & Company, services.....	190
Woodward, Charles E., services.....	90
Zoline, Elijah H., services.....	80

RELIEF.

Individual claims, foot-and-mouth disease.

	PAGE.		PAGE.
Adams, David	133	Armstrong, John	132
Alford, I. S.....	132	Asche, H. W.....	130
Allanson, Fred	130	Ayers, J. T.....	133
Alverson, A. G.....	135	Back, William A.....	133

RELIEF—Continued.

	PAGE.		PAGE.
Baker, John C.....	137	Krueger, C. H.....	134
Barrett, John E.....	134	Lancaster, J. J.....	134
Bartlett, Edgar	135	Landwer, H. A.....	131
Boonstra, H. G.....	134	Larsen, F. J.....	133
Boyer, S. H.....	134	Legner, A. J.....	134
Bradbury, L. S.....	133	Libertyville Lumber Co.....	133
Bradham, G. E.....	136	Lichty, W. W.....	135
Brown, F. E.....	135	Lucas, C. E.....	135
Burke & Wright.....	134	Lucas, Peter	131
Bushnell Record	135	Luzader, R. A.....	130
Butterfield, O. F.....	133	Martin, W. I.....	131
Cale, H. B.....	135	Martin, W. J.....	133
Campbell, H. L.....	130	McClure, E. B.....	136
Campbell, O. L.....	132	McEwan, J. L.....	137
Carroll, John	133	McFall, W. L.....	130
Carroll, W. W. & Son.....	134	McMillen, A. A.....	134
Chain, Charles E.....	135	Meyer, August	131
Champion Chemical Co.....	131	Meyers, W. A.....	135
Chandler, C. W.....	134	Mills, C. C.....	134
Chicago Live Stock World.....	131	Montooth, J. L.....	136
Conway, J. J.....	133	Moore, C. A.....	134
Cook, L. H.....	136	Motor Service Corporation.....	131
Coulson, L. H.....	133	National Dairy Show Ass'n.....	131
Denton, R. D.....	132	Nattress, J. T.....	136
Douglas, Thomas	133	O'Boyle, Michael H.....	133
Doyle, J. W.....	133	O'Connor, James	133
Draper, C. P.....	130	Patch, F. G.....	136
Drovers Jnl. Pub. Co.....	130	Patterson, R. M.....	131
Durack, J. D.....	132	Pressler, H. A.....	134
Durand, Scott and Grace.....	133	Puterbaugh, E. W.....	130
Elburn Lumber Co.....	133	Rasmussen, J. C.....	130
Etchison, A. C.....	130	Richardson, B. E.....	133
Evert, G. W.....	132	Robinson, E. C.....	132
Farley, W. O.....	130	Roderick, G. C.....	130
Fesler, James R.....	135	Rowan, F. N.....	131
First National Bank.....	134	Russell, Charles E.....	134
Frailey, B. E.....	130	Ryan, J. H.....	131
Franzen, George E.....	131	Schafer, H. A.....	131
Fuller, James K.....	136	Schlubert, Jas.	131
Gardner, Ora	135	Schroeder, J. C.....	134
Gieske, A. G.....	130	Scott, Charles E.....	135
Gieske, E. E.....	130	Scott, Mrs. John.....	135
Giller, E. B.....	132	Seigle, Philip	133
Gillispie, J. F.....	131	Shanley, B. J.....	131
Greer, H. A.....	136	Sherwood, A. M.....	131
Grice, Robert S.....	133	Singer, H. C.....	130
Grogen, Glen D.....	134	Smith, A. W.....	131
Hammerberg, C. E.....	136	Smykal, Frank	130
Hayden, H. W.....	130	Snively, J. R.....	130
Hayward, C. S.....	130	Snyder, H. M.....	135
Herbert, John	133	Spangler, C. Howard.....	137
Hollister, W. Leslie.....	132	Stock Yds. H. & S. Co.....	131
Huhn, Wm.	133	Stoeckinger, W. L.....	130
Jenkins, E. A.....	136	Studnecke, Jerry	131
Johnston, W. A.....	130	Swanson, S. R.....	133
Kennedy, E. R.....	136	Swingley, L. B.....	134
Keystone Printing Service.....	134	Thompson, L. E.....	135
Kincaid, A. R.....	130	Travis, D. L.....	132
Kollier & Banks.....	131	U. S. Rubber Co.....	131

RELIEF—Concluded.

	PAGE.		PAGE.
Vickerman, Robert	133	Weldon, W. A.	134
Wakelin, H. M.	132	White, H. A.	136
Waukegan Oil Co.	134	Wilcox, Hoyt	131
Weese & Lane.	132	Zahnle, Mathias	133

APPROPRIATIONS—Concluded.

rifle range, Camp Logan.	143
roads, state aid.	151
unexpended balance.	152
school for the blind, state.	70
school for the deaf, state.	70
Secretary of State, capitol building and grounds, repairs and improvements	161
deficiency	147
exchange telephone, capitol building.	161
ordinary and contingent.	159
session laws, reprint and distribution.	161
soldiers and sailors, expenses Vicksburg reunion.	187
home	71
locating and marking burial places of.	125
soldiers' orphans' home.	71
soldiers' widows' home.	71
southern Illinois normal, Carbondale.	97
southern Illinois penitentiary.	120
stallions and jacks, owners protection.	44
State arsenal.	143
State Board of equalization.	164
State colony for epileptics.	65, 70
State council of defense.	153
State entomologist, deficiency.	155
State government, ordinary and contingent.	156
State highway commission, additional.	196
State normal, Normal.	92
State normal schools, Macomb and Carbondale, unexpended balance.	91
State officers	101
State psychopathic institute.	67
State reformatory	85, 117, 121
State training school for girls.	71, 74
State Treasurer, deficiency.	197
ordinary	165
St. Charles school for boys.	72, 74
Supreme Court	167
clerk	167
filing cases and binding of records.	199
reporter	167
Superintendent of Printing, deficiency.	198
Superintendent of Public Instruction, ordinary.	165
Trade and Commerce, department of.	182
uniform laws commission.	189
University of Illinois.	199
Watertown state hospital.	65, 69, 72
western Illinois normal, Macomb.	91, 95
ARBITRATIONS AND AWARDS—revision of act in relation thereto.	202
ARBITRATORS—revision of act.	202
ARMORIES—appropriation, Chicago, second infantry.	116
Chicago, first cavalry.	116
Galesburg, sixth infantry.	116
Kankakee, unexpended balance.	150
Kewanee, unexpended balance.	150
Monmouth	116
Morrison, unexpended balance.	150
Ottawa, third infantry.	116

	PAGE.
ARSENAL, STATE.....	143
ASSESSMENT, SPECIAL—see "Local Improvements" and "Fire Insurance Companies."	
ASSIGNMENT OF WAGES—security for loans.....	553
ATKINSON, THOMAS L.—appropriation.....	141
ATTORNEYS AND COUNSELLORS—corporations not to practice law.....	309
unlicensed persons not to practice as attorneys.....	205
See "Courts."	
ATTORNEY GENERAL—appropriation, additional.....	61
general	166
inheritance tax department.....	166
ordinary and contingent.....	166
AUDITOR—appropriation, deficiency.....	63
ordinary and contingent.....	162
AUTOMOBILES—see "Motor Vehicles."	
BAIL AND RECOGNIZANCES.....	339
BAKER, ELIZA—appropriation.....	79
BALLOTS—destruction of.....	444
sale of.....	444
BALSLEY, CHARLES—appropriation.....	81
BANKS—drawing checks with intent to defraud.....	344
amendments to law.....	206
BARBERS EXAMINERS.....	64
BARNARD AND MILLER—appropriation.....	142
BERG, SIMON—appropriation.....	79
BIRTHS AND DEATHS—certificate of birth.....	759
certificate of death.....	759
BLIND AND DEAF CHILDREN, EDUCATION.....	734
BLUE SKY LAW.....	294
BOARDS OF EDUCATION—appointment.....	721, 723
BOARDS AND COMMISSIONS, STATE—appropriation, administration, state institutions	64, 67
appropriations:	
administration, completion of State hospital.....	67
administration, Peoria State hospital, restore building	76
barbers examiners.....	64
centennial commission.....	106
centennial memorial building commission.....	66
civil service.....	188
dental examiners, deficiency.....	152, 153
equalization	164
game and fish conservation, unexpended balance.....	100
mining investigation commission.....	599
penitentiary building commission.....	188
pension law commission.....	107
repairs and improvements capitol building.....	161
uniform laws commission.....	189
Canada thistle commission.....	216
Illinois centennial commission.....	218
Illinois industrial survey.....	519
Illinois pension laws commission.....	641
Investigation of sickness and accident, persons not under workmen's compensation Act.....	488
uniform laws commission.....	189
BONDS—bail and recognizance.....	339
building and county purposes.....	322
cities and villages, referendum.....	225
contractors, local improvement.....	252
false schedule.....	215
fees for issuance by public utility commission.....	646
highway, issue of.....	710
local improvement contractors.....	252

BONDS—Concluded.	PAGE.
ordinances authorizing issue by cities and villages.....	225
road legalized.....	321
sanitary district and sewage disposal.....	396
sanitary district legalized.....	394
State wide system of public highways.....	696
sureties, false statement.....	215
township road and bridge legalized.....	684
township road district legalized.....	675
BOULEVARDS—see "Parks."	
BOYD, RANDOLPH—appropriation.....	87
BRIDGES—see "Roads and Bridges."	
BROADBENT, T. A.—appropriation.....	141
BROCK, GEORGE W.—appropriation.....	147
BUILDING AND LOAN ASSOCIATIONS—examination of title and written opinion..	302
joint ownership of stock.....	307
BURLEY, CLARENCE A.—appropriation.....	139, 142
BURNS, FRANK J.—appropriation.....	79
CAIN, HUGH—appropriation.....	81
CANADA THISTLES—commissioner of.....	216
CANDIDATES—see "Elections."	
CAPITOL BUILDING—repairs.....	161
CARLSON, N. A.—appropriation.....	87
CARPENTER, AUGUSTUS ALBERT—appropriation.....	138
CASE, MARY C.—appropriation.....	138
CEMETERIES—appropriation, burial place of soldiers and sailors.....	125
burial of soldiers and sailors.....	223
management and control.....	219
CENTENNIAL COMMISSION—appropriation.....	66, 106
created, powers and duties.....	218
official state flag.....	528
CENTENNIAL MEMORIAL BUILDING—appropriation.....	66
authorized	66
CENTRAL UNION TELEPHONE COMPANY—appropriation.....	190
CHANCERY—publication of notices.....	643
CHARITABLE EYE AND EAR INFIRMARY—appropriation.....	71, 74
CHARITIES—aid to mothers and children, visitation, etc.....	221
appropriation, State institutions, ordinary and special.....	67
completion of State hospital for the insane.....	67, 222
county poor farm, Act of 1874 amended.....	638
education of deaf and blind children.....	734
mothers' pension Act amended.....	220
Peoria State hospital, appropriation.....	67
CHARLESTON, CITY OF—appropriation.....	142
CHAMBERS, MICHAEL—appropriation.....	142
CHECKS—drawing of with intent to defraud.....	344
CHESTER STATE HOSPITAL—appropriation.....	67
CHICAGO AND ALTON RAILROAD Co.—demurrage.....	139
CHICAGO STATE HOSPITAL—appropriation.....	65, 67
CHICAGO—Municipal Court Act amended.....	329, 333
sanitary district, corporate limits enlarged.....	285
CHILD LABOR—regulated.....	511
CHIROPODY—practice regulated.....	588
CIRCUITS COURTS—see "Courts."	
CITIES AND VILLAGES—amusements, cities over 500,000.....	229
annual tax levy.....	240
assessor, collector and supervisor in incorporated towns.....	792
authorized to sell real and personal property.....	225
authorized to sell real estate not necessary to municipality.....	225
boards of education, cities over 100,000.....	723
cities over 45,000.....	721
bond issues to be authorized by ordinances.....	225

CITIES AND VILLAGES—Concluded.	PAGE.
bridges in cities under 10,000 maintained by toll charges.....	676
bridges in cities under 15,000 built at joint expense of city and county....	677
Canada thistle commission.....	216
city engineer or health officer, qualification.....	258
co-extensive territory with townships.....	564, 565.
collections of special assessments, cities of 100,000.....	244
commission form of government, abandonment.....	227
board of local improvements.....	486
contest of primary elections under.....	229
council, powers and duties.....	284
libraries	238
condemnation for local improvements.....	246
contractors bond, local improvements.....	252
election, Act of 1885 amended.....	445
when held.....	453
farm lands in cities may be organized in separate drainage districts.....	393
firemen's pension fund, cities not less than 5,000 nor more than 100,000....	231
cities over 200,000.....	231, 260
forest preserve police, power in.....	529
houses of correction, employes pension fund.....	533
may acquire land.....	533
sentence commutable within 30 days.....	532
judges city courts, licensed attorneys.....	328
salaries	107
local improvements, petition, interest on bonds, expenses and costs, how paid	249
Jacksonville	108
public benefit tax.....	248
redemption of property sold.....	253
Springfield	110
municipal employes pension fund.....	266
cities over 100,000.....	268
municipal funds, use.....	256
officers, qualification	258
ordinances, authorizing bonds.....	225
ordinances, duties of clerk, cities under 100,000.....	258
park commissioners to improve, control and regulate certain streets.....	621
playgrounds under police control.....	745
plumbers, licensing of.....	520
police magistrates, election.....	281
police pension fund, act amended.....	282
cities 5,000 to 100,000.....	282
cities over 200,000.....	274
practice, Municipal Court of Chicago.....	329, 333
public benefit tax.....	248
public libraries, commission form of government.....	238
public tuberculosis sanitariums, civil service.....	288
recreation privileges	239
registration, cities of 150,000.....	459
right of soldiers and sailors to hawk and peddle.....	259
sale of delinquent property for local improvement assessments.....	244
sanitary districts and sewage disposal.....	396
school elections, where there are election commissioners.....	452
State aid within corporate limits.....	716
submission of certain ordinances authorizing bonds.....	225
tax levy increase.....	240
term of office, president and clerk, incorporated towns 25,000 and over....	486
tuberculosis sanitarium, taxes.....	287
act of 1908 amended.....	287, 288
unclaimed rebate funds, special assessment or special taxation.....	254
utility, use for public recreation purposes.....	229, 239
water supply, on what terms furnished.....	404

	PAGE.
CITY JUDGES—see "Courts."	
CIVIL ADMINISTRATIVE CODE.....	2
CIVIL SERVICE—appropriation, State commission.....	188
Act of 1905 amended.....	289
public tuberculosis sanitariums.....	287, 288
CLARKE, CORINNE I.—appropriation.....	138
CLARKE, DUMONT JR.—appropriation.....	139
CLARKE, JULIETTE E.—appropriation.....	139
CLARKE, LEWIS L.—appropriation.....	138
CLARKE, E. STANLEY—appropriation.....	139
CLERKS TO JUDGES—Appellate court—fees and salaries.....	323
COFFEY, JOHN J.—appropriation.....	81
COLD STORAGE—regulation of.....	648
COLLECTION—assessor, collector and supervisor in incorporated towns.....	286
COLLECTOR OF TAXES—See "Revenue."	
COMMISSIONS—See "Boards and Commissions."	
COMMISSION FORM OF GOVERNMENT—abandonment.....	227
COMMITTMENT, SENTENCE AND PAROLE.....	353
COMMUNITY HIGH SCHOOL—elections.....	737
COMPENSATION ACT, WORKMEN'S.....	490, 505
CONTAINERS—dairy products to be marked.....	773
CONTEST OF ELECTIONS.....	229
CONSOLIDATION—State Departments.....	2
CONVEYANCES—land titles.....	291
real estate by school districts under special charter.....	723
sale of real estate for taxes, redemption, etc.....	658
vacation of plat.....	642
CONVICTS—discharged, employment.....	518
COOK COUNTY—additional judges, Superior Court.....	329
CO-OPERATIVE ASSOCIATIONS—amends Act of 1915.....	303, 304
CORONERS—expense of inquest.....	341
CORR, FRANK—appropriation.....	87
CORRIS, WILLIAM L.—appropriation.....	87
CORPORATIONS—act amended.....	302
admission of foreign corporations for profit.....	306
amendments to banking law.....	206
blue sky law, duties of Secretary of State.....	294
building and loan associations, joint ownership of stock.....	307
certain classes of real estate companies.....	312
city real estate investment companies.....	310
co-operative associations for pecuniary profit.....	303, 304
fees for organization, amendment fee Act.....	304
fees for issuance of stocks and bonds.....	646
indictment, service of summons.....	343
license.....	644
mortgage loan.....	310
prohibited from practising law.....	309
real estate agency.....	312
restoration of charter.....	292, 308
stocks, bonds and securities, to prevent fraud in sale of.....	294
uniform transfer of stock.....	316
wages, how paid.....	363
windstorm insurance companies.....	540, 550
COTTON DUCK OR CANVAS—manufacture and sale of.....	342
COUNTIES—agricultural advisors, appropriation.....	85
agricultural fairs and societies, state aid.....	54
board of review, clerk.....	653
bonds for county purposes.....	322
bonds for roads legalized and validated.....	321
Cook County, additional judges Superior Court.....	329
collector to give notice when prepared to receive taxes.....	654

COUNTIES—Concluded.

	PAGE.
County board, power to issue bonds.....	322
Crawford County, terms of Circuit Court.....	324
Edwards County, terms of Circuit Court.....	324
fire insurance companies, assessment for payment of loss.....	537
fire insurance companies, adjustment of losses.....	539
Franklin County, terms of Circuit Court.....	324
Gallatin County, terms of Circuit Court.....	324
Hamilton County, terms of Circuit Court.....	324
Hardin County, terms of Circuit Court.....	324
terms of County Court.....	327
insurance companies, increase of risk.....	538
Jefferson County, terms of Circuit Court.....	324
Lawrence County, terms of Circuit Court.....	324
Madison County, terms of County Court.....	327
mutual windstorm insurance companies.....	540
powers of county board, poor farm.....	638
recorder, duties of.....	291, 315, 652
registration of electors, counties of third class.....	459
Richland County, terms of Circuit Court.....	324
State's attorneys and assistants, duties defined.....	526
taxes, excess required for county purposes.....	322
tax rate limited.....	668
treasurer to collect inheritance tax.....	656
validation of appropriations for 1916.....	670
Wabash County, terms of Circuit Court.....	324
Wayne County, terms of Circuit Court.....	324
White County, terms of Circuit Court.....	324
Will County, bridges, State property.....	65
terms of County Court.....	327
COUNTY ADVISORS.....	85
COUNTY COLLECTOR, failure to make settlement.....	664
COUNTY JUDGES, see "Courts."	
COUNTY POOR FARMS.....	638
COURTS—appointment of special masters in chancery.....	578
appellate, appropriation.....	168
attorneys or counsellors, no unlicensed person to appear as.....	205
Circuit, second judicial district.....	324
clerks to judges, Appellate Court.....	323
commitment of children to parental or truant school.....	732
Cook County, superior judges.....	329
County Judge not to appear as counsel.....	327
claims, created.....	325
fees of master in chancery.....	525
guardianship proceedings transferred to other counties.....	531
Hardin County Court, terms fixed.....	327
injunctions enjoining disbursement of public funds.....	536
judges of city courts, salaries.....	107
licensed attorneys.....	328
Madison County, terms fixed.....	327
municipal, of Chicago, Act of 1905 amended.....	329, 333
practice.....	329, 333
practice and procedure.....	329, 333
processes.....	329, 333
nomination, superior and Circuit Court judges.....	454
notice, suits in chancery.....	643
notice, suits in equity.....	604
probate judge not to act as counsel.....	327
publication of notices in chancery.....	604, 643
sentence, commitment and parole.....	353
service by publication in courts of record.....	604

COURTS—Concluded.	PAGE.
Supreme, appropriation	167
clerk, appropriation	167
filing cases and binding of records, appropriation.....	199
reporter	167
Superior, Cook County, additional judges.....	329
terms of Circuit Court—see "Counties."	
transfer of conservatorship to other counties.....	577
Will County, terms fixed.....	327
wills, probate of.....	799, 800
foreign, probate of.....	800
writ of error, recognizance, criminal offenses.....	338
COURT OF CLAIMS—created.....	325
COUGHLAN, TIMOTHY E.—appropriation.....	138
Cox, N. W.—appropriation.....	81
CREDIT—obtaining by false statements.....	347
CREIGHTON, JAMES A.—estate of, appropriation.....	128
CRIMINAL CODE—appeals	338
bail and recognizance.....	339
checks, drawing with intent to defraud.....	344
confidence game	348
corporations, fine, how collected.....	343
damage or injury to water supply.....	351
false schedules under oath.....	215
false schedules to obtain credit.....	347
fortune telling prohibited.....	352
larceny and embezzlement.....	348
obscene or indecent exhibitions and plays prohibited.....	337
pandering prohibited	349
penalty for damage to gas, electric, telephone or telegraph plants.....	351
penalty for damage to or destruction of munitions or powder plants.....	351
prohibiting exhibition or publication of certain lithographs, books, moving pictures, etc.	362
punishment of burglary with explosives.....	341
race hatred, inciting by moving pictures, etc., prohibited.....	362
recognizance, writ of error to appellate or supreme court.....	338
sentence, commitment and parole.....	353
sureties on bonds, false testimony.....	215
tampering with motor vehicles.....	349
unlawful discharge of firearms on public highway.....	362
uttering checks, drafts or orders with intent to defraud.....	344
wood alcohol, sale of.....	345
CROSSINGS, GRADE—speed at.....	674
CRUMBLEY, REV. PETER—appropriation.....	147
CUMMINGS, MARY A.—appropriation	141
CUYLER, THOMAS DEWITT—appropriation.....	142
DAIRY BOTTLES—see "Weights and Measures."	
DAIRY PRODUCTS—see "State Food Commission."	
containers to be marked.....	773
DANGER SIGNS—penalty for defacing.....	672
DAVIS, JAMES E.—appropriation	88
DAVY, MAY—appropriation	79
DAWSON, THOMAS J.—appropriation.....	86
DEAF, BLIND AND DELINQUENT CHILDREN—education, appropriation.....	189
DEAF, DUMB AND BLIND CHILDREN—education.....	734
DEANE, DAVID—appropriation	78
DEFENSE, STATE COUNCIL OF.....	153
DELINQUENT LANDS—local improvements.....	244
DEMPSEY, GIDEON M.—appropriation.....	141
DENNETT, CARL P.—appropriation.....	142
DENTAL EXAMINERS, BOARD OF—appropriation, deficiency.....	152, 163

	PAGE.
DEPARTMENT OF AGRICULTURE—appropriation.....	169
DEPARTMENT OF FINANCE—appropriation.....	168
DEPARTMENT OF LABOR—appropriation.....	172
DEPARTMENT OF MINES AND MINERALS—appropriation.....	174
DEPARTMENT OF PUBLIC HEALTH—appropriation.....	181
DEPARTMENT OF PUBLIC WELFARE—appropriation.....	179
DEPARTMENT OF PUBLIC WORKS AND BUILDINGS—appropriation.....	175
DEPARTMENT OF REGISTRATION AND EDUCATION—appropriation.....	185
appropriation, normal schools, unexpended balance.....	91
DEPARTMENT OF TRADE AND COMMERCE—appropriation.....	182
DICKERSON, CHARLES—appropriation	88
DOGS—license	50
liability for injury to sheep.....	53
DOWS, TRACY—appropriation	142
DRAINAGE—agricultural and sanitary purposes, election of commissioners....	369
assessments on lands, railroads, public highways and municipal corporations	429
bond issues legalized.....	394
commissioners	369
common outlet, use of.....	364
delinquent assessments, collection.....	370
drains, ditches and levees across lands of others, Act of 1879 amended....	370
farm lands in cities may be organized in separate districts.....	393
levying and collecting taxes under act of 1907.....	395
Little Wabash River drainage district.....	371
may use government appropriation for repairing, enlarging or strengthening levees adjacent to any river.....	367
sanitary district of Chicago, corporate limits enlarged.....	285
sanitary districts, sewage disposal.....	396
Skillet Fork River district, organization.....	405
act of 1917 amended.....	427
watercourse common outlet.....	365
water supply, on what terms furnished.....	404
DRENNAN, ROSCOE L.—appropriation.....	82
DRIVEWAYS—see "Parks."	
DUNNE, EDWARD F.—portrait, appropriation.....	125
EASTER, ADOLPH H.—appropriation.....	87
EASTERN NORMAL SCHOOL, CHARLESTON—appropriation.....	93
EATON, EDWARD W.—appropriation.....	140
EDUCATION, BOARDS OF.....	721, 723
EDUCATION, DEAF AND BLIND CHILDREN.....	734
ELECTIONS—absent voters in military service.....	440
absent voters in special, general and primary elections.....	434
amendment Municipal Court Act, Chicago.....	329, 333
appointment of judges.....	486
ballots, sale of.....	444
board of registry, Act of 1885 amended	445
bond issues for county purposes.....	714
bond issues, cities and villages, form of ballot.....	225
bridges, to borrow money for building and repairing.....	710
cities and villages, when held.....	453
city and village tax levy increase.....	240
community high school districts.....	737
compensation of election officials.....	453
consolidation of school districts, form of ballot.....	733
contest of primary elections, commission form of government.....	229
destruction of ballots.....	444
drainage commissioners under Act of 1885.....	369
general registration Act.....	445
mileage of presidential electors.....	100
Municipal Court of Chicago, form of ballot.....	329, 333

ELECTIONS—Concluded.	PAGE.
municipal sanitariums, form of ballot.....	287
nomination of Superior and Circuit Judges.....	454
police magistrates	281
president and trustees of park districts.....	606
promises or pledges by candidates.....	455
proposed conveyance of lands in park districts, form of ballot.....	605
public health districts, form of ballot.....	763
publication and distribution of anonymous matter relative to candidates..	456
registration cities more than 150,000.....	459
registration of electors, counties of third class.....	458
sanitary district, form of ballot.....	396
sanitary district of Chicago.....	285
school, cities and villages having election commissions.....	452
school, under act of 1909 legalized.....	744
special tax road purposes, form of ballot.....	716
State wide system of highways, form of ballot.....	696
submission of amendments to banking law.....	206
township high schools, form of ballot.....	735
tuberculosis sanitarium, form of ballot.....	287
ELECTRIC, GAS, ETC. PLANTS—penalty for damage to.....	351
ELGIN STATE HOSPITAL—appropriation.....	67
EMBALMERS—licensing of	761
EMBEZZLEMENT	348
EMPLOYMENT—amendments to compensation Act.....	490, 505
children, regulation of.....	511
commission to investigate sickness and accident not under workmen's compensation Act.....	488
convicts in penal and reformatory institutions.....	640
discharged convicts.....	518
free employment offices, appropriation.....	172
investigation of industries in which women are engaged.....	519
railroads, safety appliances.....	647
regulating assignment of wages and salaries in security for loans.....	553
wages paid by check, order, scrip, etc., redeemable on demand in lawful money	363
workmen's compensation Act.....	490, 505
ENGLISH BROTHERS—appropriation.....	141
ENTOMOLOGIST—appropriation, deficiency.....	155
EQUALIZATION, BOARD OF.....	164
ERICKSON, P. A.—appropriation.....	147
ESTATES—probate of wills.....	799, 800
EXECUTIVE MANSION—appropriation.....	159
EXPLOSIVES—burglary with, punishment.....	341
EXTRADITION—uniform state law, persons of unsound mind.....	345
FAIRS AND SOCIETIES, COUNTY.....	53
FALTZ, CHARLES W.—appropriation.....	146
FARM ADVISORS, COUNTY.....	85
FARM LANDS IN CITIES.....	393
FARMERS INSTITUTE—appropriation.....	54
FEES AND SALARIES—Adjutant General and staff.....	782
clerks to judges of Appellate Court.....	323
corporations, organization.....	304
elections, compensation of officials.....	453
General Assembly, officers and employees, compensation.....	530
Illinois Pension Fund Commission, compensation.....	107
judges of city courts.....	107
justice of the peace and police magistrates.....	523
masters in chancery.....	525
motor vehicles, registration.....	685
National Guard, compensation.....	781
public utilities commission.....	646

	PAGE.
FENCES—legal fence defined.....	527
FIRE ARMS—unlawful discharge on highways.....	362
FIRE INSURANCE COMPANIES, COUNTY—assessments.....	537
FIREMEN—state association, appropriation.....	57
pension fund.....	231, 260
FISHER AND NORTY—appropriation.....	190
FITZGERALD, A. M.—appropriation.....	89
FLAGS—Illinois Centennial Commission, official flag authorized.....	528
return of flag to second Tennessee cavalry C. S. A.....	529
FLEMING, D. C.—appropriation.....	147
FLEURY, A. D.—appropriation.....	82
FOOD—cold storage, articles of food defined.....	648
penalty for misbranding.....	774
regulation of cold storage.....	648
FOOT AND MOUTH DISEASE—suppression, appropriation.....	171
FORESTRY—Forest Preserve Districts, power to maintain sufficient police force..	529
FORTUNE TELLING—prohibited.....	352
FRATERNAL BENEFICIARY SOCIETIES.....	542
FRAUD, false statements and schedules.....	215
FRAUDS IN THE SALE OF SECURITIES, Blue Sky Law.....	294
FREE EMPLOYMENT OFFICES, appropriation.....	172
GAINES, MARIE D.—appropriation.....	141
GALPIN, HOMER J.—appropriation.....	86, 88
GALLAGHER, P. W.—appropriation.....	88
GARDINER, CHARLOTTE G.—appropriation.....	140
GARESCHÉ, F. A.—appropriation.....	87
GAS, ELECTRIC ETC., PLANTS, penalty for damage to.....	351
GASSNECK, ETHEL B.—appropriation.....	140
GENERAL ASSEMBLY—appointments.....	530
appropriation, committee expenses 50th.....	101
committee expenses of 51st.....	168
election contests 50th.....	86
employees 50th.....	106
incidentals of 50th.....	105
incidentals of 51st.....	168
officers of 50th.....	106
officers and employees of 51st.....	101
officers and employees, appointment and election.....	530
scholarships at university.....	757
GIBLIN, PATRICK H.—appropriation.....	143
GILLISPIE, GEORGE B.—appropriation.....	88
GILLET, FRED H.—appropriation.....	82
GLASS, SYDNEY—appropriation.....	78
GOVERNOR—appropriation, ordinary and contingent.....	159
GRADE CROSSINGS, speed at.....	674
GRANT, ULYSSES S.—monument, appropriation unexpended balance.....	111
and others, Vicksburg.....	112
GRANT, FRED—appropriation.....	78
GRIFFIN, GEORGE F.—appropriation.....	142
GUARDIANS AND WARDS—guardianship transferred to other counties.....	531
GURLEY, LEWIS—appropriation.....	81
HALE, WILLIAM B.—appropriation.....	140
HAROLD, JAMES P.—appropriation.....	87
HAYES, M.—appropriation.....	82
HAZELL, E. F.—appropriation.....	80
HEALTH, see "Public Health Districts."	
HEITLER, MICHAEL, appropriation.....	138
HENKE, HENRY—appropriation.....	78
HIGHWAYS—see "Roads and Bridges."	
HILL, FRANK N.—appropriation.....	78
HILL AND HILL—appropriation.....	190

	PAGE.
HISTORICAL LIBRARY, STATE—appropriation.....	188
HOE, RICHARD M.—appropriation.....	142
HOGAN, THOMAS S.—appropriation.....	79
HOLMES, ANDREW—appropriation.....	79
HORTICULTURE—state society, appropriation.....	54
introduction and dissemination of insect pests prohibited.....	37
HOSPITALS, STATE.....	67
HOUSES OF CORRECTION—employees pension fund, cities over 150,000.....	533
may acquire land and establish outside of municipal corporation.....	533
sentence commutable within 30 days.....	532
HOWARTH, EARL G.—appropriation.....	141
HUENING, JOHN—appropriation.....	80
HYATT, O. H.—appropriation.....	190
IDIOTS, LUNATICS, DRUNKARDS AND SPENDTHRIFTS—transfer conservatorship to other county.....	577
ILLINOIS CENTENNIAL COMMISSION.....	218, 528
ILLINOIS INDUSTRIAL SURVEY.....	519
ILLINOIS PENSION LAW COMMISSION.....	107, 641
ILLINOIS STEEL COMPANY, purchase of state land.....	778
INDECENT AND OBSCENE EXHIBITION, prohibited.....	337
INDUSTRIAL HOME FOR THE BLIND—appropriation, deficiency.....	65
appropriation, ordinary and contingent.....	70
INGRAM, J. E.—appropriation.....	88
INHERITANCE TAX—County Treasurer to collect.....	656
INJUNCTIONS—disbursement of public monies.....	534
INSANE, STATE HOSPITAL FOR, completion of.....	222
INSECT PESTS, introduction prohibited.....	37
INSURANCE—county fire, increase of risk.....	538
county fire, assessment for payment of loss.....	537
county fire, adjustment of losses.....	539
county mutual windstorm.....	540
discrimination prohibited.....	541
fraternal beneficiary societies.....	542
life, regulating business of.....	546
mutual, windstorm, cyclone and tornado.....	550
organization and management of fraternal beneficiary societies.....	544
regulation of policies, life insurance companies.....	547
township insurance companies, underwriting and re-insurance.....	552
INTEREST, short loans.....	553
IROQUOIS IRON COMPANY—purchase of state land.....	779
JACKS, regulation of service.....	47
JACKSONVILLE STATE HOSPITAL—appropriation.....	67
JAILS AND JAILERS—dieting of prisoners.....	556
JOHNSON, A. G.—appropriation.....	82
JOINT OWNERSHIP—building and loan stock.....	307
JOINT RIGHTS AND OBLIGATIONS—Act of 1874 amended.....	557
JOOS, WILLIAM T.—appropriation.....	81
JUDGES, see "Courts."	
city courts, appropriation.....	107
nomination of.....	329
JUDGES OF ELECTION—appointment.....	486
JUDGMENTS AND DECREES—Act of 1872 amended.....	558
JUSTICES AND CONSTABLES—fees of.....	523
jurisdiction of justices.....	562
KANKAKEE STATE HOSPITAL—appropriation.....	67
KASSERMAN, JOHN—appropriation.....	87
KENNEDY, WILLIAM—appropriation.....	78
KISTNER, HARRY M.—appropriation.....	79
KLICK, JACOB E.—appropriation.....	140
KOECHLEY, ANTHONY—appropriation.....	80
LABOR, CHILD—regulated.....	511

	PAGE.
LARCENY AND EMBEZZLEMENT.....	348
LAWS—re-print of territorial and session laws.....	789
<i>Validating Acts—</i>	
county tax levies 1916.....	670
road and bridge bonds legalized.....	684
sanitary district bonds legalized.....	394
school elections under act of 1909 legalized.....	744, 757
township and road district bonds legalized.....	793
<i>With Emergency Clause—</i>	
appropriation, Attorney General, deficiency.....	61
Auditor, deficiency.....	63
barbers state board of examiners.....	64
board of administration.....	64
board of education, cities over 100,000.....	723
board of education, cities over 45,000.....	721
cyclone sufferers.....	126
dental examiners, deficiency.....	152
dental examiners, per diem of members, deficiency.....	153
game and fish conservation commission, unexpended balance.....	100
highway commission, deficiency.....	196
judges of city courts, salaries.....	107
legislative reference bureau.....	108
national guard, deficiency.....	114
naval reserve, deficiency.....	114
penitentiaries, maintenance, deficiency.....	197
Peoria State hospital, restore building.....	76
Putnam, Eva, salary of James D. Putnam.....	128
reformatory, state, conveying offenders.....	85
Secretary of State, deficiency.....	147
State Council of Defense.....	153
State entomologist, deficiency.....	155
Superintendent of Printing, deficiency.....	198
Treasurer, deficiency.....	197
assessment to enlarge drainage ditches.....	364
bonds legalized, sanitary districts.....	394
Circuit Courts, change of terms.....	324
county road bonds legalized.....	321
damage by explosives.....	351
election officials, compensation.....	453
fortune telling prohibited.....	352
General Assembly, compensation of officers and employees.....	106
committee expenses.....	101
incidental expenses.....	105
high school districts legalized.....	744
inheritance tax, payment to State Treasurer.....	656
Little Wabash River drainage district.....	371
local improvement bonds, deficiency of interest on.....	256
local improvements, unclaimed rebate fund.....	254
military and naval code amended.....	784
national guard and naval reserve, compensation.....	781
oiling streets.....	242
park police, pension fund.....	612
piers, recreation purposes.....	239
plant inspection act.....	37
play grounds, school.....	745
police magistrates, cities under commission form of government.....	281
probate of wills.....	799
reinstatement of charter.....	292
reserve militia.....	782
Skillet Fork drainage district.....	405, 427
stamping and branding of containers.....	773

LAWS—Continued. .

	PAGE.
<i>With Emergency Clause—Concluded.</i>	
State council of defense.....	153
taxes, failure to pay into State treasury when due.....	656
transfer of township funds to road and bridge fund.....	795
university scholarships	757
workmen's compensation Act amended.....	490
<i>Without Governor's Signature—</i>	
bail and recognizance.....	339
birth records	759
blue sky law.....	294
bridge replacement, Will County.....	65
burglary with explosives.....	341
burial of soldiers and sailors.....	223
Canada thistle commissioners.....	216
charitable state institutions.....	67
cities over 500,000 to contract for public entertainments.....	229
clerks, cities over 100,000 duties.....	258
cold storage	648
commission form of government, abandonment.....	227
condemnation for local improvements.....	246
consolidation of school districts.....	733
corporations not to practice law.....	309
corporations to own land for sub-division.....	312
cotton duck, manufacture and sale.....	342
deaf, dumb and blind children, education.....	734
dogs, licensing of.....	50
drainage districts in cities.....	393
drainage districts, Little Wabash River.....	372
drainage, foreclosure of delinquent special assessments.....	370
election law, amended.....	445
elections, pledges by candidates.....	455
fences	527
firemen's pension fund, cities of 200,000.....	260
firemen's pension fund, tax levy.....	231
grade crossings, abolition and improvement.....	644
highway commissioner	679
inquests, expense of.....	341
justice courts, fees.....	523
libraries, free public.....	238
libraries in public parks.....	565
licensing of plumbers.....	520
liens against State.....	566
lithographs exciting religious prejudice.....	362
local improvements, re-payment of money advanced.....	254
local improvements, redemption of delinquent property.....	253
local improvements, sale of delinquent property.....	244
master in chancery, special.....	525
mortgage loan corporations.....	310
Municipal Court of Chicago.....	333
municipal employees, cities over 100,000.....	268
municipal funds, use	256
overhead and grade crossing improvements.....	672
park police pension fund.....	612
pension fund, soldiers to benefit.....	266
plant inspection act.....	37
police pension fund, cities 5,000 to 100,000.....	282
police pension fund, cities over 200,000.....	274
prohibits fortune telling.....	352
public benefit tax	248
public funds, disbursement.....	536

LAWS—Concluded.	PAGE.
<i>Without Governor's Signature—Concluded.</i>	
public health districts.....	763
public utility companies, fees for incorporation.....	304
registration, cities over 150,000.....	459
registration days	458
road district bonds legalized.....	793
safety appliance act, enforcement.....	647
sale of state lands.....	779
school elections, cities less than 35,000.....	452
schools, parental or truant.....	732
stocks and bonds, fraud in sale of.....	294
stocks, no fee for permission to issue.....	646
tax, inheritance, payment to state treasurer.....	656
taxes, collection of.....	658
taxes, office of town collector abolished.....	792
teachers pension fund, certain districts not affected.....	747
teachers pension fund, contributions.....	746
teachers pension fund, duties of auditor.....	719
teachers pension fund, state institutions.....	748
telegrams, misuse of.....	791
uniform limited partnership act.....	569
uniform partnership act.....	624
uniform stock transfer act.....	316
water supply, cities and villages.....	404
wood alcohol, sale of.....	345
LECHLEITER, KATHARINE S.—appropriation.....	138
LEGISLATIVE REFERENCE BUREAU—appropriation, deficiency.....	108
appropriation	188
LEONARD, FRANK J.—appropriation.....	87
LIBRARIES—cities and village commission form of government.....	238
free public, in parks, erection of building.....	564
free public, in park districts.....	565
Illinois State Historical, appropriation.....	188
powers and duties of trustees.....	777
LICENSES—peddlers, soldiers and sailors in cities.....	259
to solicit war funds.....	787
to plumbers	520
LIENS—garage keepers	567
public funds	566
LIEUTENANT GOVERNOR—appropriation	159
LIFE INSURANCE—see "Insurance."	
LINCOLN STATE SCHOOL AND COLONY—appropriation.....	67
LOANS—business regulated	553
LOCAL IMPROVEMENTS—assessments, benefit and damages.....	246
assessment, levy and warrants.....	248
board, act of 1897 amended.....	249
board, commission form of government.....	486
collection of special assessments, cities of 100,000.....	244
contractors bonds	252
Jacksonville, appropriation	108
judgment, appeal or writ of error.....	246
rebates, unclaimed, special taxes and assessments.....	254
Springfield, ornamental lights, appropriation.....	119
sale of delinquent lands for assessments.....	244
terms of sale, redemption, payment.....	253
undistributed or unclaimed special assessments.....	254
LOONEY, W. W.—appropriation.....	78
LOZZA, CLARA DARIN—appropriation.....	140
LUNATICS—extradition of	345
LUNATICS, IDIOTS, DRUNKARDS AND SPENDTHRIFTS—amends Act of 1874.....	577
LUQUER, THATCHER T. P.—appropriation.....	142

	PAGE.
LYLE, JOHN H.—appropriation.....	87
MARCY, ROGER J.—appropriation.....	86
MARSHALL, RANDALL E.—appropriation.....	86
MASTERS IN CHANCERY—special.....	578
fees of	525
MECHANICS LIENS—sub-contractors against State, county, town, school district or municipality	566
MEDICINE AND SURGERY—chiropody, practice of.....	588
medical practice Act, revision.....	579
pharmacy act amended.....	594
pharmacy, practice regulated.....	592
MEMORIAL BUILDING, CENTENNIAL.....	66
MERCHANTS LOAN AND TRUST COMPANY—appropriation.....	138
METZGER, EMMA—appropriation.....	138
MICHIGAN BOULEVARD BUILDING COMPANY—appropriation.....	142
MILEY, GEORGE M.—appropriation.....	89
MILITARY AND NAVAL CODE—solicitation of funds, regulation.....	787
MILITIA—see "National Guard."	
MINES AND MINING—fire fighting equipment.....	596
ventilation	602
MINERS AT ROYALTON—appropriation.....	127
MINING INVESTIGATION COMMISSION—appropriation.....	599
MITCHELL, JAMES L.—appropriation.....	142
MONUMENTS—Grant, Ulysses S., and others at Vicksburg.....	112
Grant, Ulysses S., and others at Vicksburg re-appropriated unexpended balance	111
Oglesby, Richard J., at Chicago, appropriation.....	110
MORTGAGES—Loan Corporations.....	310
MOTHERS AND CHILDREN, aid to and visitation.....	221
MOTHERS PENSION ACT—Act of 1913 amended.....	220
MOTOR VEHICLES—garage keepers liens.....	567
registration and regulation, act of 1911 amended.....	685
speed of vehicles at grade crossings.....	674
tampering with, penalty.....	349
MOVING PICTURES, inciting race hatred, forbidden.....	362
MUELLER, ADLAI E.—appropriation.....	87
MUELLER, CARL—appropriation.....	87
MUELLER, EWALD E.—appropriation.....	87
MUNICIPAL COURT OF CHICAGO—Act amended.....	329, 333
MUNICIPALITIES—see "Cities and Villages, Parks."	
MUNITION AND POWDER PLANTS, penalty for damage to.....	351
MURPHY, PETER—appropriation.....	88
MCGLENN, FRANK W.—appropriation.....	78
MCGRATH, JAMES J.	146
MCQUIRE, THOMAS—appropriation.....	140
McMURRY, MARY BINCE—appropriation.....	81
NATIONAL GUARD, appropriation, armories.....	116
appropriation, armory at Kankakee.....	150
armory at Kewanee.....	150
armory at Monmouth.....	116
armory at Morrison.....	150
deficiency	114
mobilization	114
ordinary and contingent.....	113
State arsenal	143
State rifle range, Camp Logan.....	143
absent voters in military service.....	440
compensation	781
military and naval code of 1909 amended.....	784
organization of reserve militia.....	782
salaries of Adjutant General and staff.....	782

	PAGE.
NAVAL MILITIA—appropriation, ordinary and contingent.....	113
NAVAL RESERVE—appropriation, deficiency.....	114
NOMINATIONS—see "Elections."	
NORTHERN TRUST COMPANY—appropriation.....	139, 140
NORMAL SCHOOLS—see "Appropriations" and "Schools."	
NORTHERN NORMAL SCHOOL, DEKALB—appropriation.....	96
NOTICES—service by publication.....	604
suits in chancery.....	643
suits in equity, sale of real estate to pay debts.....	1
OBSCENE PLAYS, EXHIBITIONS, ETC., FORBIDDEN.....	337
OBTAINING CREDIT BY FALSE STATEMENTS.....	347
O'CONNOR, C. F.—appropriation.....	80
OGLESBY, RICHARD J.—monument at Chicago, appropriation.....	110
O'HARA, BARRATT—portrait, appropriation.....	124
OIL AND PAINTS—sale of regulated.....	769
OILING STREETS.....	242
O'NEILL, CHARLES W.—appropriation.....	141
ORDINANCES—see "Cities and Villages."	
PAINTS—regulation of sale.....	769
PANDERING—defined and prohibited.....	349
PAROLES, SENTENCE AND COMMITMENT.....	353
PARKS—commissioners oath.....	611
commission to convey certain lands.....	605
election of president and trustees.....	606
free public libraries, erection of building.....	564
in park districts.....	565
improvement of boulevards and driveways.....	623
pleasure driveways in park districts.....	606
police pension funds.....	612
regulation, control, improvement, repairs and maintenance of public streets	621
right to acquire by lease or permit territory from other municipal corpora-	
tion.....	611
PARTNERSHIPS—limited, uniform Act.....	569
uniform Act.....	625
PATRICK, REV. A. J.—appropriation.....	142
PAUPERS—amends Act of 1874.....	638
PAYMENT OF WAGES—corporations, etc.....	363
PEASE, EDWIN H.—appropriation.....	140
PEDDLERS—soldiers and sailors.....	259
PENALTIES—burglary with explosives.....	341
confidence game.....	348
corporations practicing law.....	309
deaf, dumb and blind children.....	734
defacing road route signs.....	671
discharge of firearms on public highway.....	362
discrimination by life insurance companies.....	541
employment of minors.....	511
false schedules.....	215
false testimony, surety on bond.....	215
failure of county collector to make settlement.....	664
failure to mark, stamp or brand containers of dairy products.....	773
forging name of licensed physician, etc.....	594
injuries to munitions, powder, gas, electric, telegraph, telephone plants and	
water supply.....	351
injuring or defacing danger signs.....	672
insect pests, introduction and dissemination.....	37
larceny and embezzlement.....	348
midwives using drugs or medicine.....	579
obscene or indecent exhibitions.....	337
obtaining credit, false statement.....	347
pandering.....	350

PENALTIES—Concluded.	PAGE.
practice of fortune telling.....	352
prohibits exhibition or publication of certain lithographs, books, moving pictures, etc.	362
promises or pledges by candidates.....	362
promises or pledges by candidates.....	455
publication and distribution of anonymous printed matter.....	456
regulation of sale of paints, oils, etc.....	769
sale of misbranded food.....	774
sale of wood alcohol.....	345
solicitation of war funds without license.....	787
speed of vehicles at grade crossings.....	674
tampering with motor vehicles.....	349
unlicensed persons in courts of record.....	205
uttering checks, drafts and orders with intent to defraud.....	344
violation of Act in relation to county and probate judges.....	327
violation of Act for licensing of plumbers.....	520
violation of Act to regulate practice of chiropody.....	588
violation of Act regarding payment of wages.....	363
violation of Loan Act.....	553
violation medical practice Act.....	579
violation of mortgage loan Act.....	310
wrongful transmission of messages.....	791
PENITENTIARIES—appropriation, building commission.....	188
deficiency	116, 197
appropriation, ordinary and special.....	118
salary officers and former officers.....	146
southern	120
State, at Joliet.....	118
employment of convicts in penitentiary.....	640
employment of discharged convicts.....	518
sale of land at Joliet.....	778
PENSION FUNDS—employees, houses of correction, cities over 150,000.....	533
firemen, cities over 200,000.....	260
firemen, cities 5,000 to 200,000.....	231
Illinois Pension Laws Commission, appropriation.....	107
powers and duties.....	641
Mothers' pension Act.....	221
Mothers' pension Act of 1913 amended.....	220
municipal employees	266
municipal employees, cities over 100,000.....	268
park police	612
police, cities over 200,000.....	274
police, additional levy for three years.....	282
state teachers	747
teachers, pension and retirement fund, State.....	719
teachers, State institutions.....	748
teachers in districts under special Acts.....	746
PENSION LAWS, ILLINOIS, COMMISSION.....	107, 641
PEORIA STATE HOSPITAL—appropriation, restore building.....	76
appropriation	69
PERKINS, EDWIN C.—appropriation.....	88
PERSONAL PROPERTY—CITIES AND VILLAGES—sale of.....	225
PETLACK, JOSEPH—appropriation	88
PHARMACY—practice regulated	592, 594
prescription or order, not to be forged.....	594
PLATS—vacation of	642
PLAYS—obscene and indecent, prohibited.....	337
PLAYGROUNDS—schools may establish and maintain.....	745
PLEASURE DRIVEWAYS—see "Parks."	
PLEDGES AND PROMISES—by candidates.....	455
PLUMBERS—licensing of	520

	PAGE.
POLICE—see "Cities and Villages," "Parks," "Pension Funds," and "Forest Reserve."	
POLICE MAGISTRATES—election	281
justices, fees	523
POLICE PENSION FUND	274, 282
POOR FARMS—Act of 1874 amended	638
powers of county boards	638
POWDER PLANTS—penalty for damage to	351
POWELL, B. E.—appropriation	87
PRACTICE—corporations, appearance and trial	343
judgments, decrees, executions and redemption of sale of real estate	558
mode, Municipal Court of Chicago	329, 333
Municipal Court of Chicago	329, 333
notice of suits in chancery	604, 643
of law, by corporations forbidden	309
by persons not licensed, forbidden	205
sentence, commitment and parole	353
PRESIDENTIAL ELECTORS—mileage	100
PROBATE JUDGES—not to act as counsel	327
PROBATE OF WILLS	799, 800
PROMISES BY CANDIDATES	455
PRUYN, T. C. P.—appropriation	80
PSYCHOPATHIC INSTITUTE—see "State Psychopathic Institute."	
PUBLIC HEALTH DISTRICTS—establishment and maintenance	763
PUBLIC LIBRARIES—commission form of government	238
PUBLIC OFFICERS—disbursement of funds	536
PUBLIC STREETS—see "Parks."	
PUBLIC TUBERCULOSIS SANITARIUMS	287, 288
PUBLICATION—anonymous matter relative to candidates	456
of notices, chancery	604, 643
PUBLIC UTILITIES—constructions of crossings across railroads	672
fees for issuance of bonds	646
fees to Secretary of State	304
grade crossings	644
liability of common carrier for inquest	341
penalty for damage to gas, electric, telephone or telegraph plants	351
telephone and telegraph companies in interstate commerce exempted	643
PULVER, GEORGE MARSH—appropriation	139
PULVER, IRVING LOVERIDGE—appropriation	139
PUTNAM, EVA—appropriation	128
RACE HATRED—moving pictures, inciting, forbidden	362
RAILROADS—safety appliances	647
RATHBONE, W. V.—appropriation	87
REAL ESTATE—agency corporations	310
cities and villages	225
improvement corporations	312
of decedents, proceedings to sell	1
RECOGNIZANCES—bail bonds	339
on appeals to Appellate or Supreme Court	338
RECORDERS—duties of	291, 315, 652
RECREATION—see "Cities and Villages."	
REDFIELD, ALICE C.—appropriation	139
REFORMATORY, STATE—appropriation	121
appropriation, special	117
conveying offenders	85
REGISTRATION—electors	458, 459
cities with election commissioners	459
REPAIRS AND IMPROVEMENTS OF CAPITOL	161
RESERVE MILITIA—organization	782

	PAGE.
REVENUE—additional levy for benefit of police fund.....	282
annual tax levy in cities and villages limited.....	240
assessor, collector and supervisor in incorporated towns.....	792
auditor to set aside funds for teachers pensions.....	719
board of review, appointment of members and clerks.....	653
certain taxes exempt from scaling.....	662
collection of special assessments cities of 100,000.....	244
collection of taxes, notice.....	654
drainage taxes, collection under tax of 1907 not to be scaled.....	395
elections, county bond issue.....	322
failure of county collector to make settlement, penalty.....	656
inheritance tax, county treasurer to collect.....	656
levy and collection of taxes, community high school districts.....	737
levy and extension of taxes.....	657
levy and extension of taxes, Act of 1872 amended.....	658
poll tax.....	694
public benefit tax.....	248
sale of real estate for taxes, redemption, registration, etc.....	658
school warrants in anticipation of taxes.....	758
State purposes.....	655
taxes, collection and settlement.....	664
tax levy, municipal employees pension fund.....	268
tax rate limited.....	668
taxes for maintenance of public health districts.....	763
terms defined, calendar year.....	657
three mill tax for oiling streets.....	242
two mill tax for municipal tuberculosis sanitarium.....	287
validation of county tax levies 1916.....	670
RIFLE RANGE—Camp Logan.....	143
ROADS AND BRIDGES—alteration, vacation and widening of roads.....	684
appeal from decision of commissioners.....	674
automobiles, license Act amended.....	691
bond issues legalized.....	321, 675
bridges built and repaired at joint expense.....	677
bridges, maintained by toll charges.....	676
bridges, state property in Will County.....	65
commission of highways, term of office, powers and duties.....	679
construction of crossings across railroads.....	672
county may use funds turned over by town or road districts for building permanent roads.....	795
elections legalized.....	684
grade crossings.....	644, 672
may borrow money by vote at special election.....	714
motor vehicles, tampering with.....	349
poll tax.....	694
reducing width of roads.....	684
registration of issue of highway bonds.....	710
registration of routes.....	671
rural post roads.....	144
State aid authorized.....	716
State aid roads, appropriation.....	151
unexpended balance.....	152
State aid within corporate limits of village or town.....	716
State highway commission, appropriation, additional.....	196
State wide system.....	696
township bonds legalized.....	793
township road district bonds legalized.....	675
transfer of town funds to road and bridge funds.....	795
unlawful discharge of firearms on public highway.....	362
RODGERS, C. M.—appropriation.....	147
RURAL POST ROADS.....	144

	PAGE.
RUTTER, DAVID COMPANY—appropriation.....	140
RYAN, FRANK—appropriation.....	86
RYAN, LAWRENCE—appropriation.....	147
SALARIES—see "Fees and Salaries."	
State officers, appropriation for.....	102
SALES—cotton duck or canvas.....	342
regulate sale of paints and oils.....	769
uniform sales act amended.....	718
SAMUELS AND SAMUELS—appropriation.....	190
SANITARIUMS—municipal, form of ballot.....	287
public tuberculosis.....	288
SANITARY DISTRICTS—see "Drainage."	
SAWYER, AMOS—appropriation.....	81
SCHMIDT, J. F. BROTHERS COMPANY—appropriation.....	138
SCHOOL FOR THE BLIND, JACKSONVILLE—appropriation.....	70
SCHOOL FOR DEAF, JACKSONVILLE—appropriation.....	70
SCHOOLS—appropriation, state normals, ordinary and special.....	92
University of Illinois.....	199
board of education, appointment, cities over 45,000.....	721
board of education, cities over 100,000.....	723
commitment of children to parental or truant school.....	732
community high school districts.....	737
consolidation of districts.....	733
deaf, dumb and blind delinquent children.....	189, 734
districts to acquire real estate by gift or donation.....	745
districts under special charter may dispose of real estate.....	723
education of deaf and blind children.....	734
elections, cities and villages having election commissions.....	452
elections legalized.....	757
elections, township high school, form of ballot.....	735
gifts, donations, devises and bequests, title to be vested in board.....	746
high school districts legalized.....	744, 757
play grounds.....	745
sale and distribution of text books regulated.....	755
sale of real estate.....	723
scholarships, members of general assembly to appoint.....	757
✓ State institution teachers' pension fund.....	748
State teachers' pension and retirement fund.....	747
teachers' pension and retirement fund.....	719
teachers' pension fund in districts under special Act.....	746
tuition, high school districts.....	737
University of Illinois, appropriation.....	199
warrants in anticipation of taxes.....	758
SCHUBERTH, HENRY F.—appropriation.....	87
SECRETARY OF STATE—appropriation, deficiency.....	147
appropriation, ordinary and contingent.....	159
repairs and improvements to capitol building and grounds.....	161
reprint and distribution of session laws.....	161
surety bonds.....	161
telephone exchange, capitol building.....	161
duties, blue sky law.....	294
SEIFERT, O. H.—appropriation.....	141
SENTENCE, COMMITMENT AND PAROLE.....	353
SESSION LAWS—reprint and distribution.....	161, 789
SEWAGE DISPOSAL—see "Drainage."	
SHAUGHNESSY, JAMES—appropriation.....	79
SHAUGHNESSY, LILLIAN—appropriation.....	79
SHEEP—killed by dogs, liability.....	53
SIDLEY, WILLIAM P.—appropriation.....	140
SKILLET FORK RIVER DRAINAGE DISTRICT—organization.....	405, 427
SKOOG, JULIUS C.—appropriation.....	141

	PAGE.
SMITH, B. A.—appropriation.....	80
SMITH, C. E.—appropriation.....	88
SMITH, FRED W.—appropriation.....	142
SMITH, HAL C.—appropriation.....	141
SMITH, PEARL A.—appropriation.....	87
SOLDIERS AND SAILORS—burial.....	223
expenses Vicksburg reunion.....	187
municipal pension fund, rights under.....	266
record of burial places.....	125
right to hawk and peddle.....	259
SOLDIERS' AND SAILORS' HOME—appropriation.....	71
SOLDIERS' ORPHANS' HOME—appropriation.....	71
SOLDIERS' WIDOWS' HOME—appropriation.....	71
SOUTHERN NORMAL SCHOOL, CARBONDALE—appropriation.....	97
SPECIAL ASSESSMENTS—unclaimed rebates.....	254
SPRINGFIELD—local improvements, appropriation.....	110
ornamental lights, appropriation.....	148
STALLIONS—regulation of service.....	47
STARR, MERRITT—appropriation.....	142
STATE AID ROADS—see "Roads and Bridges."	
STATE ARSENAL—appropriation, repairs and improvements.....	143
STATES' ATTORNEYS—appointment of assistant.....	526
STATE BOARDS—see "Boards and Commissions."	
STATE BOARD OF AGRICULTURE—co-operation with Canada thistle commissioners.....	216
STATE BOARD OF HEALTH—registration of births and deaths.....	759
regulates licensing of embalmers.....	761
STATE COLONY FOR EPILEPTICS—appropriation.....	70
appropriation, deficiency.....	65
STATE COUNCIL OF DEFENSE—appropriation.....	153
to issue license for solicitation of war funds.....	787
STATE ENTOMOLOGIST—appropriation, deficiency.....	155
STATE FARM—created.....	223
STATE FOOD COMMISSIONER—analysis of dairy and food products.....	768
fraud in sale of dairy products.....	774
marking, stamping and branding containers of dairy products.....	773
regulation of cold storage.....	648
regulation of sale of paints and oils.....	769
STATE GOVERNMENT—appropriation, ordinary and contingent.....	156
departments of.....	2
STATE HIGHWAY COMMISSION—appropriation additional.....	196
STATE HISTORICAL LIBRARY—powers and duties of trustees, act of 1889 amended.....	777
STATE HOSPITALS—appropriations for.....	67
STATE LANDS—grant to City of Chicago for street purposes.....	227
sale to Illinois Steel Company, lands in Joliet.....	778
sale to Iroquois Iron Company, submerged lands.....	779
STATE NORMAL UNIVERSITY, NORMAL—appropriation.....	92
STATE OFFICERS—appropriation for salaries.....	102
STATE PSYCHOPATHIC INSTITUTE—appropriation.....	67
STATE REFORMATORY, PONTIAC—appropriation.....	121
appropriation, special.....	117
conveying offenders.....	85
STATE RIFLE RANGE, CAMP LOGAN.....	143
STATE ROADS—see "Roads and Bridges."	
STATE TRAINING SCHOOL FOR GIRLS—appropriation.....	71, 74
STATE PENITENTIARY—see "Penitentiaries."	
STATE TREASURER—appropriation.....	165
deficiency.....	197
appropriation, teachers' pension fund.....	165
STAUTZ, WILLIAM T.—appropriation.....	140
STOCK—transfer of corporate.....	316

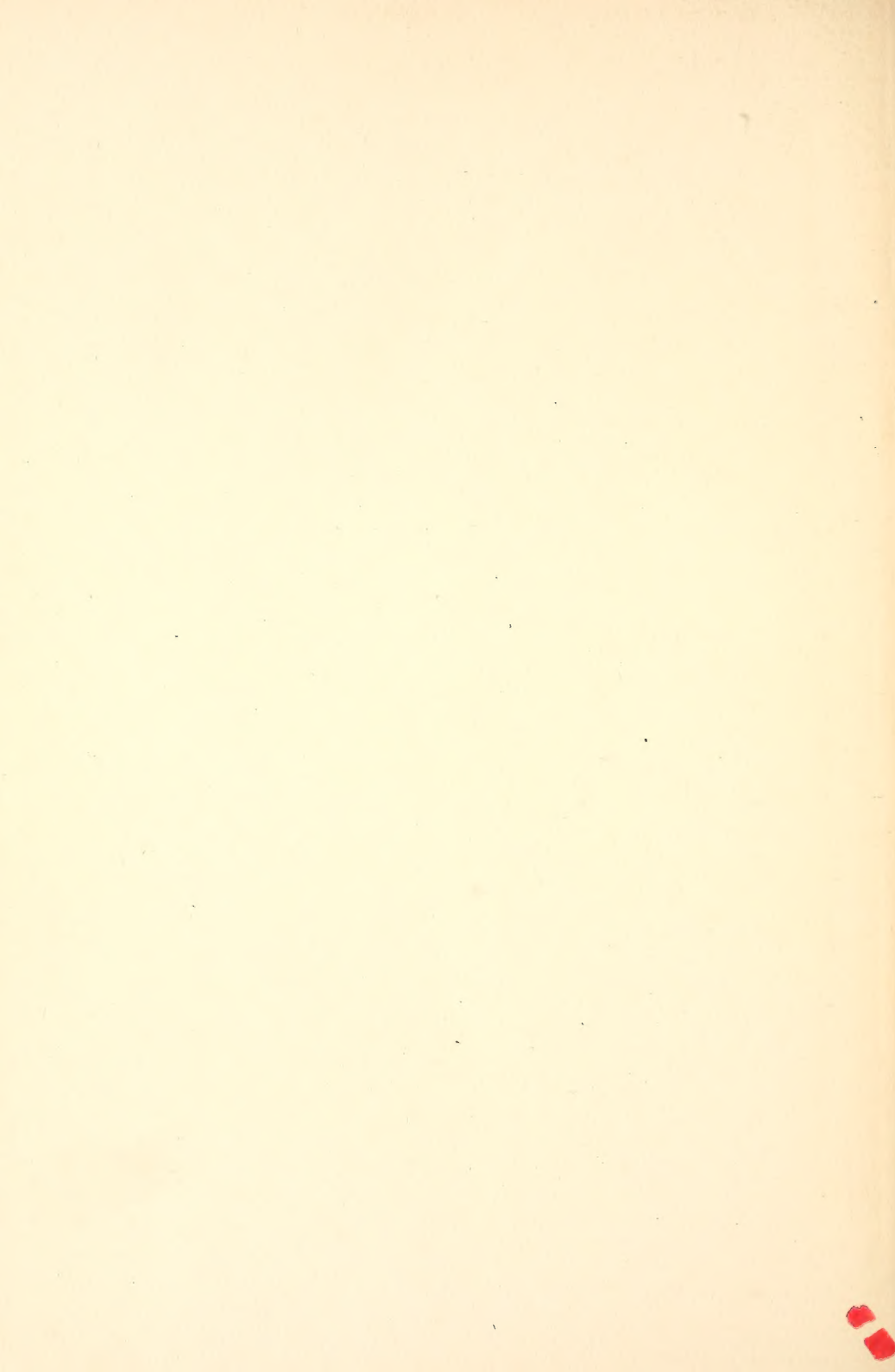
	PAGE.
STREETS—improvement by park boards.....	621
oiling of	242
SULLIVAN, F. J.	147
SUMMONS—service on corporations.....	343
SUPERINTENDENT OF PRINTING—appropriation, deficiency.....	198
appropriation	178
SUPERINTENDENT OF PUBLIC INSTRUCTION—appropriation.....	165
SUPERIOR COURT, COOK COUNTY—additional judges.....	329
SUPREME COURT—appropriation	167
SURETIES—on bonds, false statements.....	215
SUTTER, MARY—appropriation	140
SWAN, THOMAS W.—appropriation.....	140
SWANSON, N. O.—appropriation.....	87
TAPLEY, ALICE P.—appropriation.....	140
TAYLOR, JESSIE M.—appropriation.....	140
TAXES—see "Revenue."	
TEACHERS' PENSION FUND.....	719, 746, 747, 748
TELEGRAPH AND TELEPHONE COMPANIES—penalty for damage to.....	351
wrongful transmission of messages.....	791
THIES, ALBERT—appropriation	77
TILTON, RALPH R.—appropriation.....	146
TOWNS—incorporated, see "Cities and Villages."	
TOWNSHIP ORGANIZATION—Act of 1874 amended.....	792
board of town auditors in cities and township of co-extensive territory...	794
bonds legalized	793
collector to give notice when prepared to receive taxes.....	654
commissioner of Canada thistles.....	216
commissioner of highways, powers and duties.....	679
included in cities.....	794
meeting of town auditors.....	792
office of collector abolished, towns less than 100,000.....	792
officers, towns over 25,000.....	286
poll tax	694
public health districts.....	763
road and bridge bonds legalized.....	675
road district bonds legalized.....	793
transfer of town funds to road and bridge funds.....	795
TOWNSHIP INSURANCE COMPANIES.....	552
TRANDEL, JOSEPH A. G.—appropriation.....	88
TUBERCULOSIS SANITARIUMS—Act of 1908 amended.....	287, 288
civil service	288
taxes	287
TUTTLE, ORAL P.—appropriation.....	87
UNIFORM LAWS COMMISSION.....	189
UNIFORM PARTNERSHIP ACT.....	624
UNIFORM STOCK TRANSFER ACT.....	316
UNITED STATES TRUST COMPANY OF NEW YORK—appropriation.....	142
UNIVERSITY OF ILLINOIS—appropriation.....	199
scholarships, see "General Assembly."	
UTILITIES—see "Public Utilities."	
VAN DUSER, ALFRED—appropriation.....	87
VEHICLES—speed at grade crossings; see "Motor Vehicles."	
VENNER, JAMES—appropriation	82
VITAL STATISTICS—see "Births and Deaths."	
VOTING—absent voters	434, 440
also see "Elections."	
WADE, MARIAN A.—appropriation.....	140
WAGES—assignment in security for loans.....	553
how paid, corporations.....	363
WALBERG, ROBERT J.—appropriation.....	88

	PAGE.
WALSH CONSTRUCTION COMPANY—appropriation.....	142
WALSH, MARTIN—appropriation	86
WALSH, WILLIAM—appropriation	147
WALZ, EDWARD—appropriation	88
WAREHOUSES—regulation of cold storage, license.....	648
WARFEL, EUGENE—appropriation	142
WAR FUNDS—solicitation of.....	787
WATER SUPPLY—see "Cities and Villages."	
drainage, etc.	404
injuries to	351
WATERTOWN STATE HOSPITAL—appropriation.....	69
deficiency	65
WATKINS, OSCAR E.—appropriation.....	81
WEBER, JOSEPH A.—appropriation.....	86
WEIGHTS AND MEASURES—revision act of 1913.....	796
WEIS, FRED C.—appropriation.....	141
WELLER, HERMAN—appropriation	140
WEST, OWEN B.—appropriation.....	88
WESTERN GRAIN PRODUCTS COMPANY—appropriation.....	128
WESTERN NORMAL SCHOOL, MACOMB—appropriation.....	91, 95
WESTERN UNITED GAS AND ELECTRIC COMPANY—appropriation.....	140
WHALEN, W. F.—appropriation.....	80
WHIPPLE, HENRY L.—appropriation.....	80
WILL, COUNTY OF—appropriation.....	140
WILLS—foreign, probated	800
probate of	799
WILLETT, A. T. AND COMPANY—appropriation.....	190
WILKINSON, W. M.—appropriation.....	142
WILSON, ROBERT E.—appropriation.....	87
WOOD ALCOHOL—sale of.....	345
WOODWARD, CHARLES E.—appropriation.....	90
WOMEN—commission to investigate industrial conditions.....	519
WORKMEN'S COMPENSATION ACT—see "Employment."	
WORTH, EVAN C.—appropriation.....	88
ZETTERHOLM, MAURICE—appropriation	88
ZOLINE, ELIJAH H.—appropriation.....	80

JOINT RESOLUTIONS.

Adjournment—January 4 to January 8.....	802
January 9 to January 16.....	802
January 18 to January 23.....	802
January 25 to January 30.....	802
February 1 to February 6.....	802
February 9 to February 13.....	802
February 21 to February 28.....	803
March 2 to March 9.....	803
May 25 to May 31.....	803
<i>Sine die</i>	803
Aikins, Hon. James A. M.—of Canada.....	803
Big Muddy River—improvement.....	804
Canvass of Election Returns—Joint Assembly.....	804
Centennial Advisory Committee.....	804
Commission—for revision of primary election laws.....	805
Committees—to officially receive the Governor and other invited State Officers to Joint Session.....	805
Constitutional Convention.....	805
Daylight Memorial to Congress.....	805
Death of W. A. Northcott.....	806
Death of James D. Putnam.....	806

	PAGE.
Invitation to Representatives of France and Great Britain to visit Springfield..	807
Joint Rules of House and Senate.....	807
Memorial to Congress—freedom of Poland and Ireland.....	809
Military Preparedness.....	810
Officers and Committee Rooms—kept and preserved intact.....	811
Pledge of Support to Federal Government—in war with Germany.....	811
Pollution of the Waters of Lake Michigan.....	812
Receiving Governor—Joint Session.....	812
Receiving Representatives of French Government—Joint Session.....	812





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